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Humanitarian Intervention

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Reader's Guide

This chapter provides an overview of the debate between those who believe that the protection of civilians from genocide and mass atrocities ought to trump the principle of non-intervention in certain circumstances and those who oppose this proposition. This has become a particular problem in the post-Cold War world where the commission of atrocities in places like Rwanda, Bosnia, and Darfur prompted calls, in the West especially, for international society to step in to protect the victims with military force if necessary. Although it might seem morally appealing to intervene to protect populations from death and destruction, humanitarian intervention causes problems for international security by potentially weakening the rules governing the use of force in world politics. Since the end of the Cold War, a broad international consensus has emerged around a principle called the 'responsibility to protect' (R2P). The R2P holds that states have a responsibility to protect their populations from genocide and mass atrocities and that the international community has a duty to help states fulfil their responsibilities and use various measures to protect populations when their own states are manifestly failing to do so. In 2011, the principle helped the UN Security Council authorize the use of force against a sovereign state for human protection purposes for the first time in its history.

Introduction

'Humanitarian intervention' refers to the use of military force by external actors for humanitarian purposes, usually against the wishes of the host government. There have been several humanitarian interventions since the end of the Cold War (see Table 20.1). In the 1990s, genocide in Rwanda (1994) killed at least 800,000, war in the former Yugoslavia (1992–5) left at least 250,000 dead and forced thousands more to flee. Protracted conflicts in Sierra Leone, Sudan, Haiti, Somalia, Liberia, East Timor, the Democratic Republic of Congo (DRC), and elsewhere killed millions more. Conflict in the Darfur region of Sudan has cost the lives of around 250,000 people and forced more than three million people from their homes (Coebergh 2005). In what Mary Kaldor (1999) famously described as 'new wars', civilian deaths are a direct war aim not an unfortunate by-product (see Slim 2008). Although most of these wars involved non-state militia groups, sometimes the worst perpetrators of crimes against civilians are states and their allies. According to one study, in the twentieth century around forty million civilians were killed in wars between states, whilst nearly six times that number were killed by their own governments (Rummel 1994: 21).

Historically, genocides perpetrated by states against sections of their own populations have ended in one of two ways: either the perpetrators succeed in destroying their target group or they are defeated in battle. This cold fact is borne out by recent cases. The 1994 Rwandan genocide ended with the defeat of the Rwandan government and *Interhamwe* militia at the hands of a rebel group known as the Rwandan Patriotic Front (RPF). The rate of killing in Darfur has declined from its peak in 2003–4 primarily because the *Janjaweed* militia and their government backers largely succeeded in forcing their enemies into exile. A combination of NATO airpower and local armed resistance prevented the Gaddafi regime in Libya from perpetrating a massacre in Benghazi in 2011.

Facts like this pose a major challenge to international security. For both liberals and realists alike, security has traditionally been understood as the purview of states, and two of the main guarantors of national security are the principles of sovereignty and non-interference. According to this perspective, security is best pursued through a society of sovereign states that enjoy exclusive jurisdiction over a particular piece of territory and

rights to non-interference and non-intervention that are enshrined in the Charter of the United Nations. This is often labelled 'Westphalian sovereignty', referring to the 1648 Peace of Westphalia, which is commonly reckoned to have instituted a world order based on the rights of sovereigns. This idea sits at the heart of contemporary international society's rules governing relations between states. Article 2(4) of the United Nations Charter (UN Charter) forbids the threat or use of force by states in their dealings with one another and Article 2(7) prohibits the UN from interfering in the domestic affairs of its member states. There are only two exceptions to the ban on the use of force contained in Article 2(4): Article 39 gives the UN Security Council the right to authorize military action in cases where it identifies a 'threat to international peace and security' and Article 51 recognizes that all states have an inherent right to use force in self-defence.

The value of this Westphalian system of security rests on the assumption that states are the best guardians of their citizens' security. In other words, the security of the state is considered important, and worth protecting, because states provide security to individuals. It should be clear from the preceding paragraphs, however, that this assumption is problematic. In the past, threats to human security have tended to come more from an individual's own state than from other states. This raises the question of whether there are circumstances in which the security of individuals should be privileged over the security of states. Should a state's right to be secure and free from external interference be conditional on its fulfilment of certain responsibilities to its citizens, not least a responsibility to protect them from mass killing?

If we think that there are circumstances in which the use of force for humanitarian purposes is legitimate, we are then confronted by a range of practical questions about the utility of force in promoting humanitarian objectives. It is widely accepted that, although it sometimes provides the only means of protecting civilians from grave harm, military force is a relatively blunt humanitarian instrument. It is much better, and cheaper, to prevent humanitarian catastrophes in the first place than to intervene and rebuild afterwards (Carnegie Commission 1997). Sometimes, as in Somalia in 1993 and Kosovo in 1999, armed intervention seems to make the situation worse. There are also claims that the potential for foreign intervention might encourage rebels to take up arms and provoke their government to attack the civilian population (Kuperman 2008).

Table 20.1 Interventions for ostensibly humanitarian reasons, post-Cold War era

Place	Date	Intervener	UN Authority?	Consent?	Type of Intervention	Outcome
Liberia	1990-7	ECOWAS—Nigeria	No—but later welcomed by UN	Initially, but ECOWAS then forcibly engaged with the Charles Taylor faction controlling most of the territory	Active combat against anti-government rebels	ECOMOG defeated Taylor in 1992, but Taylor elected president in 1997 elections
Iraqi Kurdistan	1991	USA, UK, France	Ambiguous	No—but little resistance	Establishment of safe area and no-fly zone	Kurds protected from Iraqi army
Somalia	1992-3	USA/UN	Yes	No government to seek consent from	Secure delivery of humanitarian relief, disarmament of warlords	Humanitarian relief delivered, but warlords resisted disarmament, prompting withdrawal after USA sustained casualties
Bosnia-Herzegovina	1993-5	NATO	Yes	Bosnian government consented, Yugoslav government/Bosnian Serbs did not	Limited airstrikes followed by deployment of rapid reaction force; large-scale air operations in 1995	Bosnian Serbs and Yugoslav government accepted Dayton peace accord
Haiti	1994	USA	Yes	Yes; Haitian military leaders backed down prior to deployment of US forces	Deployment to restore elected government	Peacekeepers deployed to maintain order and disarm rebels
Rwanda	1994	France	Yes	Pre-genocide government had collapsed	Creation of safe areas at the end of genocide	Safe areas saved some lives, but the perpetrators of the genocide allowed to flee to safety in the DRC, destabilizing that country
Kosovo	1999	NATO	No	No—intervention opposed	Aerial bombardment to coerce compliance with the Rambouillet accords	After 78 days, Yugoslavia conceded and permitted deployment of KFOR

(continued)

Table 20.1 (continued)

Place	Date	Intervener	UN Authority?	Consent?	Type of Intervention	Outcome
East Timor	1999	Australian-led coalition	Yes	Yes—Indonesia granted consent after economic pressure used	Deployment of peacekeepers to deter and end militia violence	Militia withdrew or laid down arms; INTERFET handed over to UN transitional administration
Liberia	2002	ECOWAS—Nigeria	No	No—intervention in support of rebels after they had made significant advances	Deployment of peacekeepers in support of new government	Handed over to UN Mission to Liberia (UNMIL)
Democratic Republic of Congo	2003	EU—France	Yes	The government consented but not the armed groups that controlled the town and its environs	Deployment of forces to prevent genocide in the town of Bunia after Ugandan withdrawal	Atrocities in Bunia deterred but pushed into countryside in Ituri province; handed over to UN Mission (MONUC)
Georgia	2008	Russia	No	No	Deployment of forces and airstrikes in response to Georgian assault on disputed territory of South Ossetia	Georgians forced to withdraw; Russia created buffer zone; strongly criticized by the West
Cote d'Ivoire	2011	France/UN	Yes	Consent of the recognized winner of the presidential election, but not of the defeated sitting president	Limited use of helicopters against 'government' forces in order to protect civilians	Gbagbo captured by supporters of the newly elected President and the regime transitioned to allow Ouattara to assume presidency
Libya	2011	NATO-led (also Jordan, Qatar)	Yes	No	NATO and allies conduct air strikes to secure a no-fly zone and protect civilians	National Transitional Council forces defeat the regime and establish new government

Notes

1. The table is illustrative not definitive.

2. For the purposes of this table, 'humanitarian intervention' is taken to mean the use of military force for ostensibly humanitarian purposes; 'ostensibly humanitarian' means that the principal justification offered was humanitarian.

3. Although humanitarian justification properly understood included only those cases where force is used without the consent of the host state, for illustrative purposes cases have been included where consent was in doubt (e.g. Liberia), where military and economic coercion was required to secure consent (Haiti and East Timor respectively), and where the government gave consent but did not control the territory under question (e.g. Congo).

In recent years, important progress has been made towards building an international consensus on some of these questions. Most notably, the R2P principle adopted by over 150 world leaders in 2005 and reaffirmed by the UN Security Council the following year in Resolution 1674 attempts to reconcile the twin concerns of state sovereignty and human security by setting out the responsibilities that states have towards their own citizens, and international society's responsibility in cases where states struggle or fail to meet their responsibilities. By situating the potential for humanitarian intervention within a broader continuum of measures such as early warning and capacity building designed to prevent crises erupting in the first place, the R2P also addresses some of the practical problems associated with humanitarian intervention. In 2008, the principle was used to stem the tide of mass atrocities in Kenya after a disputed election there, without the need for armed intervention. Three years later, the UN Security Council specifically referred to R2P in its resolutions on Libya (Resolutions 1970 and 1973), the second of which authorized the use of force. This was the first time in which the Security Council had ever authorized the use of force for humanitarian purposes against a functioning sovereign state and suggests that consensus is sometimes possible about when and where to use force for humanitarian purposes, even if this is rare.

KEY POINTS

- Westphalian sovereignty rests on the assumption that sovereign states provide the best avenue for protecting human security and that international security is dependent on rules that prohibit states from interfering in one another's affairs. In the twentieth century, however, states were responsible for many genocides and mass atrocities, often targeting their own citizens.
- Genocides tend to end with either the military defeat of the perpetrators or their victory. Often, the only way to halt genocide and mass atrocities is to use military force against the perpetrators. This use of force, referred to as 'humanitarian intervention', challenges the basic principles of Westphalian sovereignty and raises practical dilemmas.
- Progress has been made towards reconciling the divergent principles connected to humanitarian intervention and addressing the practical challenges, through the R2P principle. This made international consensus on intervention in Libya possible in 2012.

The case for humanitarian intervention

Usually associated with liberalism and cosmopolitanism, the case for intervention is typically premised on the idea that external actors have a *duty* as well as a *right* to intervene to halt genocide and mass atrocities. For advocates of this position, the rights that sovereigns enjoy are conditional on the fulfilment of the state's responsibility to protect its citizens. When states fail in their duties towards their citizens, they lose their sovereign right to non-interference (Caney 1997: 32; Tesón 1998; 2003: 93). There are a variety of ways of arriving at this conclusion. Some liberal cosmopolitanists draw on the work of the German philosopher Immanuel Kant to insist that all individuals have certain fundamental rights that deserve protection (Caney 1997: 34). Some advocates of the Just War tradition arrive at a broadly similar position but ground their arguments in Christian theology. Paul Ramsey (2002: 20), for instance, based his argument on St Augustine's injunction that military force be used to defend or uphold justice and maintained that intervention to end injustice was 'among the rights and duties of states until and unless supplanted by superior government'.

Political leaders who adopt this position often argue that today's globalized world is so integrated that massive human rights violations in one part of the world have an effect on every other part. This social interconnectedness, they argue, creates moral obligations. One of the leading proponents of this view was former British Prime Minister Tony Blair. Shortly after NATO began its 1999 intervention in Kosovo, Blair (1999) gave a landmark speech setting out his 'doctrine of the international community'. Blair maintained that enlightened self-interest created international responsibilities for dealing with egregious human suffering, because, in an interdependent world, 'freedom is indivisible and when one man is enslaved who is free?' He also maintained that sovereigns had international responsibilities, because problems caused by massive human rights abuse in one place tended to spread across borders.

A further line of argument is to point to the fact that states have already agreed to certain minimum standards of behaviour and that humanitarian intervention is not about imposing the will of a few Western states upon the many, but about protecting and enforcing the collective will of international society. Advocates

of this position argue that there is a customary right (but not duty) of intervention in supreme humanitarian emergencies (Wheeler 2000: 14). They argue that there is agreement in international society that cases of genocide, mass killing, and ethnic cleansing constitute grave humanitarian crises warranting intervention (see Arend and Beck 1993; Tesón 1997; Donnelly 1998). They point to state practice since the end of the Cold War to suggest that there is a customary right of humanitarian intervention (Leopard 2002; Finnemore 2003). In particular, they point to the justifications offered to defend the American-, French-, and British-led intervention in Northern Iraq in 1991 to support their case. In that case, the British argued that they were upholding customary international law, France invoked a customary 'right' of intervention, and the USA noted a 're-balancing of the claims of sovereignty and those of extreme humanitarian need' (see Roberts 1993: 436–7).

This movement towards acceptance of a customary right of humanitarian intervention was reinforced by state practice after Northern Iraq. For instance, throughout the UN Security Council's deliberations about how to respond to the Rwandan genocide in 1994, no state argued that either the ban on force (Article 2(4)) or the non-interference rule (Article 2(7)) prohibited armed intervention to halt the bloodshed (see Barnett 2002), suggesting that armed intervention would have been legitimate in that case. What stood in the way of intervention in Rwanda was the fact that no government wanted to risk the lives of its own soldiers to save Africans. Throughout the 1990s, the Security Council expanded its interpretation of 'international peace and security' and authorized interventions to protect civilians in safe areas (Bosnia), maintain law and order and protect aid supplies (Somalia), and restore an elected government toppled by a coup (Haiti) (see Roberts 1993; Morris 1995; Findlay 2002). Since 2000 the Security Council has on several occasions mandated peacekeepers to protect civilians under threat in the Democratic Republic of Congo, Burundi, Côte d'Ivoire, Liberia, and Darfur (see Holt and Berkman 2006), though it has usually insisted on receiving the consent of the host government.

Although appealing, several aspects of this defence of humanitarian intervention are problematic. First, it is not self-evident that individuals *do* have universal and fundamental human rights. Parekh (1997: 54–5), for example, argues that liberal rights cannot provide the basis for a theory of humanitarian intervention

because liberalism itself is rejected in many parts of the world. Realists argue that rights are meaningful only if they are backed up with the power to enforce them. Second, critics argue that any norm endorsing the use of force to protect individual rights would be abused by powerful states, making armed conflict more frequent by relaxing the rules prohibiting it but without making humanitarian intervention any more likely (Chesterman 2001; Thakur 2004b).

Above all, however, is the charge that advocates of humanitarian intervention exaggerate the extent of global consensus about the use of force to protect human rights. From this perspective there is a gap between what advocates would like to be the norm and what the norm actually is. The putative 'golden era' of humanitarian intervention in the 1990s included the world's failure to halt the Rwandan genocide, the UN's failure to protect civilians sheltering in its 'safe areas' in Bosnia, and the failure to prevent the widely predicted mass murder that followed East Timor's referendum on independence in 1999. The world stood aside as Congo destroyed itself, taking four million lives, and—more recently—failed to halt the mass killing in Darfur. Moreover, closer inspection of the relevant cases from the 1990s suggests that world leaders were much more hesitant than implied by advocates of humanitarian intervention. The 1991 intervention occurred in the wake of the first Gulf War, the 1992–3 intervention in Somalia occurred only after the state had effectively ceased to exist, military intervention in Bosnia was endorsed by the Bosnian government, the 1994 intervention in Haiti was finally conducted with the (albeit heavily coerced) consent of the country's military leaders, the French intervention in Rwanda in the same year occurred after the Rwandan Patriotic Front had defeated government forces and the *Interhamwe* militia, and peacekeepers were deployed in Darfur with the consent of the Sudanese government. We should, therefore, avoid the temptation of thinking that there was a 'rash' of humanitarian interventions in the post-Cold War era (Finnemore 2008: 197). Before the Libyan intervention in 2011 which is discussed in more detail later, the only example of humanitarian intervention against the wishes of the sovereign state in the post-Cold War era was the 1999 NATO intervention in Kosovo and this was done without authorization from the UN Security Council and proved to be highly controversial.

Finally, with only a few partial exceptions, humanitarian interveners themselves have chosen not to justify their actions by reference to a norm of humanitarian intervention (see Wheeler 2000). This is principally

because they are wary of making it easier for other states to justify the use of force—just as Russia did, for example, when it claimed to be acting as a ‘peacekeeper’ when it invaded Georgia in 2008.

KEY POINTS

- Liberals argue that all humans enjoy fundamental human rights and that this creates a right and duty to intervene in cases where fundamental human rights are abused on a massive scale. This moral duty is reinforced by globalization, which connects individuals.
- The post-Cold War era saw the development of a customary norm of humanitarian intervention, as international society responded to humanitarian emergencies in Iraq, the Balkans, Somalia, Rwanda, Haiti, East Timor, and elsewhere.
- Critics argue that the idea of fundamental human rights has little empirical purchase, that humanitarian intervention destabilizes international security, and that advocates overstate the progress made towards a new norm of humanitarian intervention in the post-Cold War era.

The case against humanitarian intervention

Nowadays, only a handful of states—often those with atrocious human rights records themselves (such as Cuba, Iran, Venezuela, Zimbabwe)—are prepared to argue that humanitarian intervention is *never* warranted. Even China, Russia, and India—states usually associated with defending the principle of non-intervention—have accepted that intervention might sometimes be necessary. When it came to Libya in 2011, all three chose to abstain in the Security Council’s vote on authorizing the use of force when they could have conspired to defeat the resolution and prevent intervention. By and large, therefore, contemporary opposition to humanitarian intervention focuses on the questions about who can *legitimately authorize* intervention, *in what circumstances*, and the effectiveness of using military force for humanitarian purposes.

Opponents of humanitarian intervention maintain that international peace and security requires something approximating an absolute ban on the use of force outside the two exceptions set out by the UN Charter—Security Council authorization (Chapter VII) and self-defence (Article 51). The starting point for this position

is the assumption that international society comprises a large number of diverse communities each with different ideas about the best way to live. The world is made up of democratic states of different types (for example, social democracies in Scandinavia, authoritarian democracy in Russia, and market democracy in the USA), states organized according to religious principles (for example, Iran), monarchies (for example, Tonga and Saudi Arabia), dictatorships, and communist states (for example, China, and Cuba) and each state houses communities with very different cultural values. According to this view, international security is based on rules—the UN Charter’s rules on the use of force first among them—that permit the peaceful coexistence of these very different types of states and societies (see Jackson 2002). Given these disagreements, it is important that the use of force is governed by rules and that no single group of states has a right to impose its own preferences on others.

From this perspective, a general right of humanitarian intervention would open the door to abuse. Historically, states have shown a predilection towards ‘abusing’ humanitarian justifications to legitimize wars that were anything but humanitarian in nature. Most notoriously, Hitler insisted that the 1939 invasion of Czechoslovakia intended to protect Czechoslovak citizens whose ‘life and liberty’ were threatened by their own government (in Brownlie 1974: 217–21). Some commentators have argued that the USA and UK abused humanitarian justifications in an ill-fated attempt to legitimize the 2003 invasion of Iraq (see Bellamy 2004; cf. Morris and Wheeler 2006). Similar claims could also be made about Russia’s use of humanitarian arguments to justify its 2008 invasion of Georgia (case study 20.1). It was precisely because of the fear that states would exploit any loophole in the ban on the use of force that the delegates who wrote the UN Charter in 1944–5 issued a comprehensive ban with only two limited exceptions. According to Simon Chesterman (2001: 231), without this general ban there would be *more war* in world politics but not necessarily more humanitarian interventions. ‘On balance’, Thomas Franck and Nigel Rodley (1973: 278) warned in 1973, ‘very little good has been wrought’ in the name of humanitarian intervention.

It is also important to note that a majority of states oppose a general right of humanitarian intervention—seeing it as a dangerous affront to another core principle, the right to self-determination. The General Assembly’s 1970 Declaration on Principles of International Law Concerning Friendly Relations stated categorically:


CASE STUDY 20 | The misuse of humanitarian justifications: Russia's 2008 intervention in Georgia

In August 2008, Russia responded to Georgian incursions into the disputed territory of South Ossetia, which was formally part of Georgia, with a large military intervention. Backed up by the aerial bombardment of key Georgian cities, including Georgia's capital Tbilisi, Russian forces pushed the Georgian army out of South Ossetia and another disputed territory, Abkhazia, and established a buffer zone over 20 miles inside Georgia proper. Russia's foreign minister, Sergei Lavrov, accused Georgia of committing 'genocide' in South Ossetia and argued that its intervention was a legitimate exercise of its 'responsibility to protect', a principle being widely used by the UN.

These justifications, however, were rejected by analysts and won little support from international society, with even China refusing to support Russia's position despite calls for it to do so. First, although the Organization for Security and Cooperation in Europe (OSCE) has suggested that Georgian forces probably did fire the first shots, there is no empirical evidence to support Russia's claims that Georgia was committing 'genocide'. Whilst it is likely that individual war crimes were committed during the short war, it seems that Georgian, Russian, and South Ossetian forces all committed crimes

to some extent. As such, the claim that Georgian crimes justified the intervention is as dubious as America's claim that the invasion of Iraq was justified by that country's possession of weapons of mass destruction. Second, the Global Centre for the Responsibility to Protect argued that the scale of Russia's assault on Georgia far exceeded that which was necessary to protect South Ossetians. In particular, Russian forces entered Georgia proper, attacked ports and cities that were unrelated to South Ossetia, and used force in the other disputed territory of Abkhazia. This suggests that the protection of South Ossetia was not Russia's principal objective. Third, the Global Centre argues that R2P does not give legal cover for armed intervention absent a Security Council resolution (GCR2P 2008).

For these reasons, Russia's intervention in Georgia seems to be a clear case of 'abuse'. The Russian government specifically invoked R2P and used humanitarian justifications to justify armed intervention, but its claims were not supported by the evidence. The situation in South Ossetia was not as Russia described it, and, even if it were, Russia's use of force went well beyond that necessary for human protection purposes.

No state or group of states has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other state. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the state or against its political, economic and cultural elements, are in violation of international law.

UN General Assembly, Declaration on Principles of International Law Concerning Friendly Relations, 1970

Finally, realists especially claim that humanitarian intervention should be avoided because it does not work and is an inappropriate use of armed force. It does not work, they argue, because foreign intervention tends to prolong wars and create unstable peace. For realists, war is the ultimate test of strength, and stable post-war peace is produced by the victory of one side over the other, which then forces actors to realign their behaviour in accordance with the new distribution of power. Because foreign intervention reduces the proportion of wars that end in outright victory, it leaves behind an unstable peace that is likely to reignite (Luttwak 1999). Realists also argue that armed force should only ever be used in the national interest and that humanitarian intervention is therefore imprudent.

There are a number of problems with these positions as well, however. First, the overriding assumption that states protect their citizens' rights and cultural differences does not hold in every case, as the examples offered at the beginning of this chapter attest. Second, this perspective underestimates the wealth of customary practice suggesting that sovereignty carries responsibilities as well as rights (see Tesón 1997). Third, although there are a few notorious historical cases, the fear of abuse is exaggerated (Weiss 2004: 135). It is fanciful to argue that denying a state recourse to humanitarian justifications for war would make them less war prone. It is highly unlikely that either Hitler in 1939 or Bush and Blair in 2003 would have been deterred from waging war by the absence of a plausible humanitarian justification. Fourth, the critics of humanitarian intervention overlook the wide body of international law relating to basic human rights and the consensus on grave crimes such as genocide (see Scheffer 1992; Mertus 2000). Finally, the realist claim that intervention produces unstable peace is not supported by empirical studies, which show that well-equipped peace operations can significantly reduce the likelihood of war reigniting (Fortna 2008).

In summary, almost all governments recognize that crimes such as genocide and mass killing are a legitimate concern for international society. Some governments, international officials, activists, and analysts argue that sovereigns have a responsibility to protect their citizens from mass killing and other abuses, and, when they fail to do so, others acquire a right to intervene. A majority of the world's governments, however, argue that this responsibility does not translate into a right of humanitarian intervention without the authority of the UN Security Council because that would contradict other cherished principles, including the rule of non-aggression and the right to self-determination. Since the end of the Cold War, the UN Security Council has authorized collective intervention to protect populations from mass killing. In this sense, there is a norm of UN-sanctioned humanitarian intervention (Wheeler 2000) and there is evidence that the Security Council is growing more willing to act to prevent mass atrocities and protect vulnerable populations. This presents a dilemma about what to do in cases where some governments believe that intervention is warranted to save people from genocide and mass atrocities but where there is no consensus in the Security Council. This dilemma was exposed by NATO's decision to intervene in Kosovo in 1999. The debate sparked by this case provided a catalyst for a fundamental rethink of the way that international society conceptualizes the relationship between sovereignty and human rights.

KEY POINTS

- There is broad consensus that there are circumstances in which the use of force for military purposes might be justified, but critics argue that humanitarian intervention is legitimate only as a last resort, in the very worst of cases, and only when authorized by the UN Security Council.
- The rule of non-intervention is important because it protects weak states from strong states and preserves cultural diversity.
- A general right of humanitarian intervention is likely to be abused by states that would use humanitarian arguments to justify self-interested acts of war. This would damage international security without a corresponding improvement in human security.

The Responsibility to Protect

Three events in the 1990s prompted academics, politicians, and international organizations to consider a fundamental rethink of the relationship between sovereignty and human rights. In 1994, the world stood aside as Hutu militia massacred over 800,000 Tutsi and Hutu civilians in the Rwandan genocide. A year later, Bosnian Serb forces overran the UN protected 'safe area' of Srebrenica. They separated the men and boys from the women and slaughtered 7,600 of them in the days that followed. In 1999, NATO bombed the Federal Republic of Yugoslavia to coerce its leader, Slobodan Milosevic, into ceasing the ethnic cleansing of Kosovar Albanians. NATO was forced to act without a UN mandate because Russia and China believed that the situation in Kosovo was not serious enough to warrant humanitarian intervention and therefore threatened to veto any proposed resolution authorizing intervention.

Events like these prompted new thinking about the nature of sovereignty, which developed some older ideas about the sovereign's responsibility to protect its citizens. The first person to begin thinking along these lines was Francis Deng, a former Sudanese diplomat who was appointed the UN Secretary-General's special representative on internally displaced people in 1992. In a book published in 1996, Deng and his co-authors argued that

sovereignty carries with it certain responsibilities for which governments must be held accountable. And they are accountable not only to their own national constituencies but ultimately to the international community. In other words, by effectively discharging its responsibilities for good governance, a state can legitimately claim protection for its national sovereignty

Deng et al. (1996: 1)

According to Deng, legitimate sovereignty required a demonstration of responsibility. Troubled states faced a choice: they could work with international society to improve their citizens' living conditions or they could obstruct international efforts and forfeit their sovereignty (Deng et al. 1996: 28). Conceptualizing sovereignty as responsibility removed the validity of objections to international assistance and mediation based on the principle of non-interference.

The questions surrounding NATO's intervention in Kosovo prompted UN Secretary-General Kofi Annan to argue that 'state sovereignty, in its most

basic sense, is being redefined by the forces of globalization and international cooperation'. He continued, 'the state is now widely understood to be the servant of its people, and not vice versa. At the same time, individual sovereignty—and by this I mean the human rights and fundamental freedoms of each and every individual as enshrined in our Charter—has been enhanced by a renewed consciousness of the right of every individual to control his or her own destiny' (Annan 1999: 2). Annan also pointed to three critical concerns. First, intervention should be understood broadly to cover measures short of armed force that could be used to prevent and halt humanitarian emergencies. Second, sovereignty alone was not the principal barrier to effective action to protect human rights. Just as significant, Annan argued, was the way in which member states defined their national interests. Third, international society should make a long-term commitment to rebuild states and societies once a conflict was over.

Together, Deng and Annan pointed towards a new way of thinking about sovereignty as responsibility. The Canadian government then created the International Commission on Intervention and State Sovereignty (ICISS), chaired by Gareth Evans and Mohammed Sahnoun, to develop a way of reconciling sovereignty and human rights (see Evans 2008). The

Commission's report, released in late 2001, was premised on the notion that, when states are unwilling or unable to protect their citizens from grave harm, the principle of non-interference 'yields to the responsibility to protect' (ICISS 2001: xi). The concept of R2P that it put forward was intended as a way of escaping the logic of 'intervention versus sovereignty' by focusing not on what interveners were entitled to do ('a right of intervention') but on what was necessary to protect civilians threatened by genocide and mass atrocities. Influenced by Annan and Deng, the ICISS argued that the R2P was about much more than just military intervention. Appropriate responses to humanitarian emergencies included non-violent measures such as diplomacy, sanctions, and embargoes, and legal measures such as referring crimes to the International Criminal Court. Furthermore, in addition to the 'responsibility to react' to massive human suffering, the ICISS insisted that international society also had responsibilities to rebuild polities and societies afterwards.

At the 2005 World Summit, over 150 world leaders adopted a declaration affirming the R2P, which was itself subsequently reaffirmed by the UN Security Council in 2006 (Resolution 1674) and 2009 (Resolution 1894).

KEY QUOTES 20.2 Responsibility to protect and the 2005 World Summit

138. Each individual state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter of the United Nations, to help protect populations from war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including

Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

140. We fully support the mission of the Special Adviser of the Secretary-General on the Prevention of Genocide.

United Nations (2005c)

According to the UN Secretary-General, Ban Ki-moon, who succeeded Kofi Annan in 2007, the R2P rests on three pillars:

1. the responsibility of the state to protect its own populations from genocide, war crimes, ethnic cleansing and crimes against humanity;
2. the international community's commitment to assist states in meeting these obligations;
3. the international community's responsibility to respond in a timely and decisive manner when a state is manifestly failing to protect its population, using Chapters VI (peaceful means), VII (coercive means authorized by the UN Security Council) and VIII (regional arrangements).

Ban Ki-moon (2008); Luck (2008)

The approach adopted by the UN Secretary-General has been described as 'narrow but deep' (Luck 2008: 1). The R2P applies only to a narrow category of cases (genocide, war crimes, ethnic cleansing, and crimes against humanity) but requires a deep commitment from states. International society is expected to shoulder the responsibility of preventing genocide and mass atrocities by helping states to build the necessary capacities, developing early warning systems and being prepared to act 'upstream' of an outbreak of violence with a range of diplomatic, humanitarian, legal, and other peaceful measures. Heeding the concerns of states such as Russia and China, the R2P insists that military intervention be authorized by the UN Security Council and rules out unilateral force.

The World Summit's declaration on the R2P received a mixed reception. Todd Lindberg (2005) described it as nothing less than a 'revolution in consciousness in international affairs'. Prominent international lawyer Simon Chesterman agreed, arguing that 'what we're seeing is a progressive redefinition of sovereignty in a way that would have been outrageous sixty years ago' (in Turner 2005). Others were more equivocal. John Bolton, the American Ambassador to the UN and a well-known realist and UN-sceptic, described the R2P as 'a moveable feast of an idea that was the High Minded *cause du jour*' and said of the World Summit Outcome Document: 'I plan never to read it again. I doubt many others will either' (Bolton 2007: 213–14).

To what extent has the R2P advanced and replaced debates about humanitarian intervention? One group of critics complain that the principle amounts to little more than an assault on state sovereignty. They argue

that it is little different from the interventionist doctrines put forward by liberals in the 1990s and has all the negative connotations associated with humanitarian intervention (e.g. Chandler 2005). A second group of critics make the opposite point. Michael Byers (2005), for example, argued that the 2005 World Summit Outcome Document watered down the original R2P concept to such an extent that the new principle would not advance the humanitarian intervention debate or protect threatened populations. Some commentators have taken to labelling the post-2005 principle 'R2P lite' because of the limitations it placed on humanitarian intervention.

Whilst the first group of critics ignore the fact that the R2P has been adopted by world leaders of all stripes and carefully limits the scope for armed intervention, the second group focus too heavily on the question of armed intervention and underestimate the potential impact of the commitment to the R2P. Thus, whilst we need to be mindful of the principle's limitations, as the UN Secretary-General's special adviser, Edward Luck, has pointed out, there are several good reasons for thinking that the R2P is likely to make a lasting impact on international peace and security (see Key Ideas 20.1). To get a sense of the strengths and limitations of the new principle, it is worth considering three prominent cases where it has been employed: first, in relation to Darfur, the international community has struggled to protect civilians in the face of a complex conflict in a difficult context where the host government (Sudan) has presented innumerable obstacles (Case Study 20.2); second, in relation to Kenya where R2P helped frame a diplomatic response to an escalating crisis that helped stem the tide of mass atrocities (Case Study 20.3); third, in relation to Libya, where R2P was used to support a raft of measures designed to prevent mass atrocities and, when they failed, was used to support armed intervention (Case Study 20.4).

The Security Council's increasing tendency to use R2P and the fact that the use of R2P in both Côte d'Ivoire and Libya in 2011, has increased concern among some states that the principle might be abused or that states who are authorized to use force for R2P purposes might exceed the terms of their mandate. This is what Secretary-General Ban Ki-moon called the 'risk of relevance'—that as R2P is actually used in practice, difficult questions about implementation are raised. In response to some of the concerns raised about the way in which NATO went about enforcing Resolution 1973, Brazil

CASE STUDY 20.2 Darfur

At the time of writing, the situation in Darfur remains the only case in which UN Security Council has invoked the R2P Security Council Resolution 1706 (2006), which called for the creation of a large peacekeeping force to protect civilians in Darfur, and specifically referred to the R2P principle. However, the UN and African Union have encountered serious obstacles in their effort to translate R2P from words to deeds in this case, leaving some analysts to argue that R2P has 'failed' its first test (e.g. de Waal 2007).

The conflict began in earnest in 2003, after a few years of sporadic fighting over land and access to water between some of the different groups. In April 2003, rebel groups captured the border town of Tine and attacked al-Fashir airport. The government responded by 'outsourcing' the counter-insurgency to local militia leaders. In return for their military support, the government basically gave the militia a free hand to attack civilians, steal livestock, and destroy homes. The war they waged was primarily a war of genocide on the civilian population designed to curb support for the rebel groups, occupy land, secure access to water, and steal booty. The consequences are well-known. Over 250,000—and by some estimates as many as 400,000—civilians have been killed. Another 2.5 million have been forcibly displaced and either live rough or in one of the 230 refugee camps for displaced people that dot the countryside in Darfur and Chad. The violence has decreased since 2003–4, but in many regions this is only because the government's *janjaweed* militia succeeded in seizing the land and driving out or butchering their civilian targets.

The international response to the crisis in Darfur is best described as tepid. With the West unwilling to commit troops to a peacekeeping operation and the Security Council unable to agree on measures such as targeted sanctions and a no-fly zone, the African Union (AU) dispatched a small force (AMIS) to monitor a ceasefire in 2004. The ceasefire collapsed almost as soon as it had been signed and the small AMIS force, which numbered 7,000 at its peak (covering an area the size of France), proved utterly incapable of protecting civilians or preventing other breaches (Williams 2006). The West now focused its efforts on getting a UN peacekeeping force

deployed. This required a peace agreement, and the USA led an effort to deliver such an agreement. However, the process did not receive high-level support in the West and resulted in an agreement being forced through against the will of several rebel leaders. As a result, the rebel groups began to fracture and the violence persisted. Although the UN got its peace agreement, with violence persisting member states remained unwilling to commit troops and the Sudanese government refused to grant its consent. In the end, a compromise was reached whereby the UN entered into an agreement with the AU to deploy a 'hybrid' operation managed by both organizations. In the absence of additional resources, however, the new UNAMID mission mainly comprised rebadged AMIS peacekeepers. Progress was made, however, on other aspects of the international community's engagement with Darfur—the Security Council imposed limited sanctions on the Sudanese government and referred the matter to the International Criminal Court.

There are three main reasons why the international response to the atrocities in Darfur has been so tepid. First, the situation in Darfur is highly complex and there is little agreement about the most appropriate type of response. Even among activists there is no agreement on the best course of action. Some focus on the need to get sufficient numbers of peacekeepers into Darfur, whilst others argue that this is a distraction from the main game of securing a political settlement and delivering humanitarian aid (see Flint and de Waal 2008). Second, the crisis in Darfur is not a political priority for the West. Western priorities are focused elsewhere, in Afghanistan, Iraq, and the Balkans. As such, they are reluctant to commit the resources and political capital needed to lead on Darfur. Third, many states—particularly China and several Arab states—have actively blocked coercive measures on the grounds that they impinge on Sudanese sovereignty (see Williams and Bellamy 2005).

The Darfur case suggests that a lot more work is needed to figure out the best way of translating R2P from words to deeds in real-world cases, both in terms of the measures that are necessary to protect populations from harm and in terms of the politics of consensus building.

advanced a new principle of 'Responsibility whilst Protecting', or RWP, that would help guide the implementation of R2P. RWP emphasizes the role that should be played by non-coercive measures—as in the case of Kenya—and insists that the Council should properly debate and evaluate the likely outcomes of using force and that those given mandates

to use force by the Security Council should be accountable to the Council and at least provide regular updates. Still in its infancy, the Brazilian initiative has been welcomed by many R2P advocates and sceptics alike as it provides a useful way of bridging the concerns of different states in the wake of the controversy over Libya.



CASE STUDY 20.3 Kenya

The diplomatic response to the ethnic violence that erupted in the aftermath of the disputed 30 December 2007 elections in Kenya is widely trumpeted as the best example of R2P in practice. Whilst up to 1,500 people were killed and 300,000 displaced, a coordinated diplomatic effort by a troika of eminent persons mandated by the AU, spearheaded by Kofi Annan and supported by the UN Secretary-General, persuaded the country's president, Mwai Kibaki and main opponent, Raila Odinga, to conclude a power-sharing agreement and rein in the mobs. The agreement took over forty days of intensive diplomacy to mediate. This prevented what many feared could have been the beginning of a much worse campaign of mass atrocities. Reflecting on his successful diplomatic mission, Annan later observed that he:

Saw the crisis in the R2P [Responsibility to Protect] prism with a Kenyan government unable to contain the situation or protect its people. I knew that if the international community did not intervene, things would go hopelessly wrong. The problem is when we say 'intervention', people think military, when in fact that's a last resort. Kenya is a successful example of R2P at work (in Cohen 2008).

Ban Ki-moon was also quick to characterize the situation as relevant to R2P and to remind Kenya's leaders of their responsibilities. On 2 January 2008, the Office of the Secretary-General issued a statement reminding 'the Government, as well as the political and religious leaders of Kenya of their legal and moral responsibility to protect the lives of innocent people, regardless of their racial, religious or ethnic origin' and urging them to do everything in their capacity to prevent further bloodshed. And the Secretary-General's Special Adviser for the Prevention of

Genocide, Francis Deng, also called upon Kenya's leadership to exercise their responsibility to protect, reminding them that if they failed to do so they would be held to account by the international community. Several other senior UN officials also weighed in: Under Secretary-General for Political Affairs, Lynn Pascoe, expressed concern about the ethnic violence and the Human Commissioner for Human Rights, Louise Arbour, demanded that there be no impunity for those responsible. Significantly, these efforts were given vocal support by the Security Council, which issued a Presidential Statement reminding the leaders of their 'responsibility to engage fully in finding a sustainable political solution and taking action to immediately end violence'.

It is widely acknowledged that this concerted diplomatic effort prompted the two leaders to stand down and saved Kenya from a much worse fate. It is also clear that mediation was supported by this international attention, which forced the political leaders to come to terms by creating in them the belief that the world was watching and would make them pay for their failure to protect civilian lives. But whilst those involved and analysts such as Francois Grignon contend that Kenya provides an illustration of what R2P can deliver in terms of preventive action, others such as Pauline Baker (Fund for Peace) argue that R2P itself played a marginal role. Another note of caution was sounded by AU Commissioner Jean Ping, who questioned whether it was appropriate to apply R2P in this case, suggesting that it raised serious questions as to the threshold of violence that constituted an R2P situation and potential selectivity when the response to Kenya is compared with the lack of response to the situation in Somalia.



CASE STUDY 20.4 Libya

The Responsibility to Protect (R2P) played an important role in shaping the world's response to the threat of atrocities in Libya. In particular, in Resolution 1973 the UN Security Council authorized the use of 'all necessary means' to protect civilians in harm's way. Resolution 1973 is important because it is the first time that the Security Council has authorized the use of force for human protection purposes against the wishes of a functioning state. The closest the Council came to doing so in the past was in Resolutions 794 (1992) and 929 (1994). In Resolution 794, the Council authorized the United Task Force to enter Somalia to ease the humanitarian crisis but this was in the absence of a central government rather than against one—a point specifically made by several Council members, notably

China. Similarly, in Resolution 929 (1994), the Security Council authorized the French-led *Operation Turquoise*, ostensibly to protect victims of the ongoing genocide in Rwanda. *Operation Turquoise* enjoyed the consent of the interim government in Rwanda as well as its armed forces. More recently, in Haiti, the Democratic Republic of Congo (DRC), Sudan, and Côte d'Ivoire, the Security Council has authorized the use of 'all necessary measures' to protect civilians, but the peace operations in these countries all operate with the consent of the host state (Williams 2011). Having twice stated its readiness (Resolutions 1674 (2006) and 1894 (2009)) to take 'timely and decisive action' to prevent or halt mass atrocities, the Council has, in passing 1973, signalled its intention to deliver.

(continued)

On 22 February, the UN's High Commissioner for Human Rights, Navi Pillay issued a statement in which she reiterated that the state 'has an obligation to protect the rights to life, liberty and security'. She continued, 'Protection of civilians should always be the paramount consideration in maintaining order and the rule of law. The authorities should immediately cease such illegal acts of violence against demonstrators. Widespread and systematic attacks against the civilian population may amount to crimes against humanity. On the same day, the Special Advisers to the UN Secretary-General on genocide prevention and R2P, Francis Deng and Edward Luck respectively, issued a statement in which they noted that the Libyan regime's behaviour could amount to crimes against humanity and called upon it to exercise its R2P. This call was reiterated the following day by the Secretary-General and helped frame the ensuing debate as one about the prevention of mass atrocities and protection of vulnerable populations. In this way, the Secretariat helped identify the imminent risk of mass atrocities, portray the crisis in Libya as a human protection problem, and remind both the Libyan authorities (to no effect) and the Security Council (to good effect) of their responsibilities. This early activism was part of the catalyst for the adoption of Resolution 1970 (26 February 2011) which condemned attacks on the civilian population which it deemed may amount to crimes against humanity, demanded an immediate cessation of violence, established an arms embargo and travel ban, and referred the matter to the prosecutor of the International Criminal Court. With Gaddafi showing little sign of backing down, the Secretary-General intervened personally by calling the Libyan leader to persuade him to comply with the resolution. When that too failed, the onus was placed squarely on the Council to determine the next step. With hindsight, it is not hard to see how similar institutional arrangements could have produced a very different international response to the Rwandan genocide.

However, Libya might be exceptional for two reasons, suggesting that whilst consensus might sometimes be possible in the Security Council, it is likely to be rare. First was the extraordinary clarity of the threat of mass atrocities. Not since Rwanda has a regime signalled its intent to commit crimes against humanity so clearly. With direct echoes of Rwanda, Gaddafi told the world that 'officers have been deployed in all tribes and regions so that they can purify all decisions from these cockroaches' and 'any Libyan who takes arms against Libya will be executed'. These overt threats to commit mass atrocities that explicitly employed the language used by Hutu *genocidaires* to incite the 1994 Rwandan genocide, coupled with evidence that Gaddafi's regime had already targeted civilians and the regime's

long track record of abuses, left no room for doubt about the likely consequences of a successful government crackdown. Second, the timeframe was extremely short. The rapidity of rebel gains and subsequent losses in early March 2011, which left the stronghold of Benghazi vulnerable to Gaddafi's forces and their promised retribution, left little time to try measures short of force. The Council's first resolution on Libya, Resolution 1970 bundled a variety of punitive measures together, when slower moving events might have facilitated a more graduated approach to coercive inducement. At the time Resolution 1973 was presented to the Council the fall of Benghazi was days, if not hours, away. Having endorsed the R2P principle, states such as China and Russia that might have opposed the use of force could not come up with plausible alternative ways of protecting civilians in the face of Gaddafi's record and his public utterances. As a result, they abstained and allowed the Council to authorize the use of force.

Other factors, unlikely to be often repeated also helped to generate both the will to act and international consensus. Gaddafi's regime had few friends in the region and it was the League of Arab States' call for a no-fly zone, supported by the Organization of the Islamic Conferences that proved to be a diplomatic game-changer. Without their support, China and Russia would have probably vetoed Resolution 1973. Also significant was the fact that the USA, UK, and France declared that they would only intervene if authorized to do so by the Security Council—a prerequisite for R2P as agreed by member states. The Obama Administration's obvious reticence about intervention and the insistence on a UN mandate reassured states that would have otherwise been critical of 'Western interventionism'.

The military action ultimately proved to be successful—the feared massacre in Benghazi was averted and the Gaddafi regime removed from power. However, serious concerns were raised about the conduct of military operations. Critics complained that NATO effectively used R2P to pursue a 'regime change' agenda, that its use of force went well beyond that which was necessary to protect civilians, that it deliberately targeted Gaddafi and his family and caused excessive civilian damage. France's decision to drop arms to anti-Gaddafi groups was particularly controversial, because the Security Council had imposed an arms embargo on the country. These concerns created a significant backlash. Although the Security Council remained willing to use R2P after Libya—referring to the principle in relation to the situations in Yemen and South Sudan—states such as Russia, China, and India argued that the Libyan experience made them less willing to contemplate the use of coercive measures in relation to crises in Syria and Yemen.

KEY IDEAS 20.1 The impact of the responsibility to protect

1. R2P is a politically potent concept based on a consensus produced by one of the largest gatherings of heads of state ever seen.
2. The Outcome Document specifically points to the prevention of genocide, war crimes, ethnic cleansing and crimes against humanity.
3. The Outcome Document points to the kinds of tools, actors, and procedures that could form the basis for operationalizing the R2P.
4. The process of negotiating the Document and forging consensus required compromise by both sides of the intervention debate and produced a shared conception of sovereignty as responsibility that bridges the divide.

Based on Luck (2008: 3)

KEY POINTS

- The R2P principle attempts to replace the debate about humanitarian intervention with a new consensus based on the principle of sovereignty as responsibility and duties to prevent genocide and mass atrocities, react appropriately to them, and rebuild states and societies afterwards.
- The R2P rests on three pillars: (1) each state's responsibility to protect its own populations; (2) the international community's commitment to help states fulfil their responsibility; (3) the international community's responsibility to take timely and effective measures, using Chapters VI, VII, and/or VIII of the UN Charter, when a state is manifestly failing in its R2P.
- Critics argue that the R2P is either simply a reincarnation of liberal arguments in favour of humanitarian intervention or a piece of meaningless rhetoric that will make little difference in practice.
- R2P has been increasingly used since 2005 and has given rise to different sorts of responses—including peacekeeping in Darfur, preventive diplomacy in Kenya, and military force in Libya.
- The use of R2P in practice has given rise to debate about implementation. Brazil has suggested the concept of 'responsibility whilst protecting' to guide this debate.

Conclusion

The R2P is an attempt to reconfigure the relationship between sovereignty and human rights and replace the debates about humanitarian intervention covered in the first part of the chapter with a new consensus that focuses on protecting populations from genocide and mass atrocities. It has succeeded in winning a consensus among states about its meaning and scope, and the debate is now turning to difficult questions about practical implementation. This in itself though is a significant change in world politics because it was traditionally assumed that international security required strict adherence to the principles of sovereignty and non-interference and that, in cases where the security of states and individuals collided, the former should be privileged. After the Cold War, many governments and scholars argued that in grave situations sovereignty should be suspended and humanitarian intervention permitted. This produced an irresolvable debate about who had the right to authorize such interventions and in what

circumstances, in a context where even governments that advocated human rights were deeply reluctant to risk their troops to save imperilled people overseas. This debate pitted sovereignty against human rights.

But, if sovereignty is understood as a responsibility to protect, then the role of international society becomes one of enabling and supporting sovereigns in discharging their responsibilities to their citizens. The R2P holds that this is not just a matter of charity but a matter of responsibility, because the very foundations of sovereignty and international society are individual human rights. As a result, international society has a responsibility to ensure that sovereigns fulfil their duties by preventing and reacting to cases of genocide, mass killing, and ethnic cleansing and helping to rebuild societies afterwards. This responsibility was acknowledged at the 2005 World Summit and reaffirmed by the UN Security Council in Resolution 1674, but there remains much work to be done by states, international organizations,

and non-governmental organizations to ensure that all this makes a difference to those in need and succeeds in replacing the debate about humanitarian intervention. In the wake of the UN-authorized NATO-led intervention in Libya, which was itself a landmark in the history of

the UN, the challenge now is for states to work through the issues associated with how force is mandated, how those mandates are interpreted, and how the world can balance the need for accountability with requirements of military efficiency.



QUESTIONS

- I.
 1. Why do liberals think there is a moral duty to help endangered populations in far-away countries? Is their argument plausible?
 2. To what extent does international security depend on the UN Charter's rules on the non-use of force (Article 2(4)) and non-interference in the domestic affairs of sovereigns?
 3. Did a new norm of humanitarian intervention develop in the 1990s? What sort of norm was it?
 4. What is the likelihood that a right of humanitarian intervention would be abused by powerful states to justify aggressive war? Does the R2P increase or reduce that likelihood?
 5. Should armed intervention always be authorized by the UN Security Council? Why?
 6. To what extent do you think that the R2P principle replaces humanitarian intervention?
 7. Is the R2P principle just 'hot air' or a rehashed version of the liberal defence of humanitarian intervention?
 8. What is the scope and meaning of the R2P?
 9. What needs to be done in order to translate the R2P from words to deeds?
- II.
 10. What was the significance of the 2011 interventions in Côte d'Ivoire and Libya?
 11. Did NATO act in accordance with its UN mandate in Libya?
 12. What are the strengths and weaknesses of 'responsibility whilst protecting'? To what extent does it help bridge different opinions on the use of force for protection purposes.



FURTHER READING

- Bellamy, A. J. (2009), *Responsibility to Protect: The Global Effort to End Genocide and Mass Atrocities*, Cambridge: Polity Press. Presents an account of the emergence of the R2P and the challenges of translating it from words to deeds.
- Chesterman, S. (2001), *Just War or Just Peace? Humanitarian Intervention and International Law*, Oxford: Oxford University Press. An excellent account of the legal issues relating to humanitarian intervention.
- Evans, G. (2008), *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Washington: Brookings Institution. A powerful defence of the R2P and insider's account of the ICISS experience.
- ICISS (2001), International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, Ottawa: IDRC. Report making a landmark contribution to the field.
- Macqueen, Norrie (2011), *Humanitarian Intervention and the United Nations*, Edinburgh: Edinburgh University Press. A very useful assessment of the UN's track record on humanitarian intervention.
- Weiss, T. G. (2007), *Humanitarian Intervention: Ideas into Action*, Cambridge: Polity Press. A compelling introduction to the theory and practice of humanitarian intervention.
- Welsh, J. (ed.) (2004), *Humanitarian Intervention and International Relations*, Oxford: Oxford University Press. A superb collection that covers the ethical, legal, and political dilemmas provoked by humanitarian intervention.
- Wheeler, N. J. (2000), *Saving Strangers: Humanitarian Intervention in International Society*, Oxford: Oxford University Press. Remains the best account of humanitarian intervention in the 1990s and earlier.

**IMPORTANT WEBSITES**

- <http://www.un.org> The website of the UN; contains information about Security Council and General Assembly debates on humanitarian intervention and the responsibility to protect, as well as the organization's work on conflict prevention, peacekeeping, peace building, and human rights.
- <http://www.responsibilitytoprotect.org> The website of the World Federalist Movement's project on R2P; contains an excellent archive of reports and other documents.
- <http://www.globalr2p.org> The website of the Global Centre for the Responsibility to Protect, which aims to advance the principle through research and outreach.
- <http://www.r2pasiapacific.org> The website of the Asia-Pacific Centre for the Responsibility to Protect.
- <http://www.reliefweb.int> A UN-run website that provides information to humanitarian agencies in the field.



Visit the Online Resource Centre that accompanies this book for lots of interesting additional material:
www.oxfordtextbooks.co.uk/orc/collins3e/