

Arab Spring

The Responsibility to Protect and a Selective International Response

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Throughout history the international community has witnessed many massacres, simply looking on while most of them occurred. Many decisions made under international law concerning a large number of atrocities committed are controversial. The controversy stems from concepts, the process by which concepts become norms, and contradictions between concepts and practices. The most striking of these concepts is undoubtedly that of intervention. Whereas intervention itself has a contentious history, the concepts of humanitarian, military, and humanitarian military intervention must remain part of these discussions. This article first explores humanitarian intervention, the basis of the main concept addressed here throughout. Specifically, the discussion examines the process leading from humanitarian intervention to the responsibility to protect (R2P).

From Humanitarian Intervention to the Responsibility to Protect

Humanitarian intervention is the use of force by a state against another state in order to prevent large-scale violations of human rights.¹ It has been claimed that two new unwritten exceptions have been brought to prohibitions on the use of force. The first is the right to engage in military intervention in order to promote or reestablish democracy. The second involves the right to intervene, based on humanitarian grounds in incidents such as genocide, mass deportations, or systematic rape. Those who defend this unilateral humanitarian intervention (it is unilateral since the United Nations [UN] Security Council has not authorized the interventions) cite the 1999 intervention in Kosovo.²

The latter is one of the most important examples in terms of the concept. Debates on the action in Kosovo are based on two principles. The first concerns

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the doctrine of humanitarian intervention, and the second involves whether the intervention in Kosovo complied with the criteria for humanitarian intervention. In this regard, the Kosovo case plays a key role in determining the legitimacy of the doctrine. The intervention contributes significantly to arguments for the concept of humanitarian intervention as a rule of customary international law.³ North Atlantic Treaty Organization (NATO) officials cited the humanitarian crisis in the former Yugoslavia as justification for the intervention in Kosovo. Accordingly, the human rights violations committed by Yugoslav military and paramilitary forces form the legal basis for the intervention.⁴

The prominent and most important feature of the Kosovo case is that it has again brought up debate on the legitimacy of humanitarian intervention. The most discussed issue concerns the legality and legitimacy of a regional organization's military intervention, without the permission of the UN Security Council, in a sovereign state to prevent human rights violations and ensure peace and order. The intervention in Kosovo was undertaken by NATO as a regional organization since the authority of the Security Council can be vetoed by the permanent members.⁵

One of the issues discussed prior to the Kosovo operation, as stated earlier, is whether NATO has the right to intervene militarily in the internal affairs of a sovereign state. It is necessary to review the statements in the UN Charter which indicate that states should not go to war and that sovereign states cannot intervene in other sovereign states in cases other than self-defense. At this point, crimes against humanity should not be considered part of the internal affairs of countries, and pressures leading to a massive influx of refugees should not be allowed.⁶

International intervention is not a new phenomenon; however, it acquired new meaning in the post-Cold War era. The new world order or disorder has provided crucial experiences for states such as Somalia, Rwanda, Bosnia-Herzegovina, Kosovo, Afghanistan, and Iraq. The intensity and purpose of international intervention have changed. Classic peacekeeping techniques are now inoperative. Postconflict reconstruction of states and communities has taken place not only for humanitarian reasons but also as a result of ruthless geopolitical logic and increasing interests.⁷

In light of these developments, R2P emerged from the report *The Responsibility to Protect*, issued in the 2001 by the International Commission on Intervention and State Sovereignty (ICISS), established by the Canadian government. The commission had been formed in response to UN secretary-general Kofi Annan's question about when the international community should intervene for humanitarian purposes.⁸ The commission developed the idea of R2P with the intention of overcoming international debate about the concept of humanitarian

intervention that arose in the 1990s and reached its peak in 1999 with NATO's action in Kosovo. The ICISS proposed that the concept came about as an obligation to intervene.⁹ The commission suggested that the “clash of rights”—those of intervention and of sovereignty—had been a product of misunderstanding.¹⁰

Responsibility to Protect: Analysis of the Basic Documents

An analysis of the documents underlying R2P will facilitate understanding and interpreting the concept on the basis of practice.

*The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*¹¹

According to the report, the controversy over humanitarian intervention reached its peak with NATO's intervention in Kosovo. It asserted that the intervention caused more damage than it prevented and that NATO received criticism for the way in which it carried out the intervention. External military interventions conducted for humanitarian purposes, such as the ones in Somalia, Bosnia, and Kosovo (as well as the failed attempt in Rwanda), have always been controversial.

The report outlines the basic principles of the concept. State sovereignty comes with responsibility. The primary responsibility for protecting its own nationals rests with the state itself. If people are exposed to serious damage as a result of internal war, insurgency, repression, or state failure, and if the state is unable or unwilling to stop or prevent it, then the principle of nonintervention yields to the international R2P.

R2P includes three stages of responsibility: (1) the responsibility to prevent, (2) the responsibility to react, and (3) the responsibility to rebuild. The prevention of the causes of internal conflict and humanitarian crises is featured in the R2P. The responsibility to react embodies the obligation to take action and proposes sanctions, international prosecution, and military intervention as a last resort. At the last stage, elements of recovery, reconstruction, and reconciliation after a military intervention are addressed.

As often highlighted in the report, prevention is the key dimension of R2P. One should exhaust the options for prevention and commit all resources toward that end before intervening. Exercising the responsibility to prevent and to react should involve less coercive measures prior to using more coercive ones. The report notes that the just-cause threshold entails large-scale loss of life resulting from either deliberate state action or the state's neglect or inability to act, a failed state situation, and large-scale “ethnic cleansing” involving killing, forced expulsion, and acts of terror or rape.

The report points to the Security Council as the most appropriate body to authorize military intervention for humanitarian purposes. Furthermore, the council should be enabled to work more effectively, and the five permanent members of the Security Council should agree not to resort to their veto power as long as their vital state interests are not in question.

Also discussed in the report is the concept of humanitarian intervention in past events, the changing international environment, new actors in the international arena, new security issues, and new demands and expectations. Interventions that may be carried out for human-protection purposes provide a new opportunity for common action. The report also addresses the concept of state sovereignty and assesses the concepts of intervention, humanitarian intervention, and military intervention along with the subject of sovereignty, noting that the concept of intervention is perceived as direct military intervention. It also highlights that R2P is now the new approach and emphasizes R2P rather than the right to intervene. The report argues that R2P is not something developed against state sovereignty but that state sovereignty entails responsibility.

Military intervention involves political, economic, and military sanctions. A decision to intervene is made in extreme and exceptional cases. The principle of nonintervention still has priority. The most important point concerning the decision is “first do no harm.” Interventions and actions that may pose a threat to international peace and security should be avoided. Because evidence is needed to justify intervention, the International Committee of the Red Cross and other human rights organizations play a major role. The responsibility to rebuild involves the stages of peace building, security, justice, and reconciliation.

The commission observes that the capricious use of veto power or the threat of its use is likely to generate negative consequences for humanitarian crises and considers this situation a political problem. It also agrees that the five permanent members of the Security Council should develop a code of conduct to govern use of the veto in order to stop or avert significant humanitarian crises. The term *constructive abstention* has been used in this context in the past.

A More Secure World: Our Shared Responsibility¹²

The UN’s High-Level Panel on Threats, Challenges, and Change issued another significant report on the concept. The report suggests that, under chapter 7 of the UN Charter, regarding internal threats and R2P, the UN is quite clear and unambiguous when it comes to saving human lives. Referring to the Genocide Convention, it states that the principle of nonintervention is deemed invalid when actions threaten international security, such as genocidal acts and other massacres, violations of humanitarian law, and ethnic cleansing, which call for measures to be

taken by the Security Council. Finally, the report identifies the five criteria for legal intervention as seriousness of the threat, proper purpose, last resort, proportional means, and balance of consequences.

In Larger Freedom: Towards Development, Security and Human Rights for All¹³

This report, released by Secretary-General Annan, indicates that each state has preventive responsibility. It emphasizes cooperation and the significance of acting in accordance with R2P in respect to past and possible atrocities. It indicates that sovereign states are liable for protecting their nationals against preventable catastrophes such as mass murder, genocide, crimes against humanity, and rape.

2005 World Summit Outcome¹⁴

The *2005 World Summit Outcome* is one of the most frequently cited documents concerning the R2P concept. According to Article 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.” Moreover, Article 139 states that “the international community also has the responsibility in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and states can take collective action, in a timely and decisive manner, through the Security Council, in accordance with Chapter VII of the Charter, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, if no solution is achieved by peaceful means.”

UN Security Council Resolution 1674 on the Protection of Civilians in Armed Conflict, 2006¹⁵

This resolution expressly “reaffirms the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.”¹⁶

UN Security Council Resolution 1706 on Darfur, 2006¹⁷

Resolution 1706 was the first to link R2P to a particular conflict.

Implementing the Responsibility to Protect¹⁸

This report indicates that the key factor in R2P is the timing and effectiveness of intervention. It identifies the three pillars of R2P: (1) the protection responsibilities of the state, (2) international assistance and capacity building, and (3) timely and decisive response. The report notes that “there is no set sequence to be followed from one pillar to another, nor is it assumed that one is more important than another. Like any other edifice, the structure of the responsibility to protect relies on the equal size, strength and viability of each of its supporting pillars.”¹⁹

Early Warning, Assessment and the Responsibility to Protect²⁰

This report addresses matters raised in the annex to the UN secretary-general’s report *Implementing the Responsibility to Protect*. It discusses the concept as well as the gaps and capacities in practice, emphasizing that the UN acts in cooperation with many of its internal structures to develop an early-warning mechanism; thus, exchange of information is crucial at this point. The report deems it necessary to concentrate on regions that suffer intensely from human rights violations, which may, for example, result in crimes specified in R2P during development of an early-warning mechanism.

Some studies of R2P suggest that intervention is established on two bases: intervention prevention and response. *Prevention* refers to a wide range of actions, from pointing to the roots of political and economic conflicts to diplomacy, mediation, arbitration, and efforts that include sanctions in some cases. Despotism typically takes the easy way out and silences dissidents by imprisoning or killing them. However, it is hard for a government to fall or to make changes that will not lead to crimes against civilians. The world has witnessed and continues to witness such situations in the Arab world (e.g., Libya, Egypt, Yemen, and Syria).²¹

Governments continue to prioritize their national interests and ignore the protection of civilians. One may see tragedies that happened in Rwanda and still occur in Darfur and Syria as a failure of R2P.²² For example, the situation in Darfur under the responsibility of the UN and the Arab League is a litmus test for the concept of R2P in the literature.²³

It is appropriate at this point to assess two case studies in the context of R2P. Libya and Syria displayed almost the same features and processes in terms of R2P. The following sections summarize those processes, in accordance with the resolutions adopted, and thereby reveal two different attitudes.

Intervention in Libya

The situation in Libya amounted to a full-fledged armed conflict, with both international and noninternational dimensions. Several other instances of violence resulted in serious repression by state security services in response to popular uprisings or civil unrest. Initial sociopolitical unrest in Benghazi developed into a challenge to the long-ruling regime, reaching the level of armed conflict by March 2011.²⁴

Intervention in Libya remains under debate. The situation there has been regarded as a unique opportunity to justify humanitarian military intervention in that country, where one encountered explicit power, reliable opposites, a clear exit strategy, and a well-defined task.²⁵ The following sections examine the adopted resolutions.

*Agenda: Peace and Security in Africa*²⁶

On 25 February 2011, the UN Security Council heard a briefing from the secretary-general, who warned that fundamental peace and security were at stake in the Libyan Arab Jamahiriya. He urged council members to consider concrete action to stop the violence and the indiscriminate use of force and to ensure the immediate protection of civilians.

*Resolution 1970*²⁷

Under Resolution 1970, unanimously adopted on 26 February 2011, the Security Council reminded the Libyan government of the responsibility to protect its own people and called on it to act in accordance with human rights and international law. The resolution referred the Libyan case to the International Criminal Court and, as a precaution, provided for imposing an arms embargo, banning of some Libyan authorities from leaving the country, and freezing the assets of those persons.

*Resolution 1973*²⁸

Resolution 1973, adopted by 10 votes in favor and with abstentions from Brazil, China, Germany, India, and the Russian Federation, forms the legal basis for the intervention. It includes intervening in Libya from the air and sea to protect civilians and neutralize Mu'ammar Gadhafi's forces. The resolution emphasizes that Libyan authorities have not complied with Resolution 1970 of 26 February 2011, that the situation in Libya constitutes a threat to international peace and security, and that in this context, actions will be taken under chapter 7 of the UN Charter.

In its “No-Fly Zone,” portion, the resolution demands that all flights be banned except those in Libyan airspace for humanitarian purposes and that foreign nationals be evacuated from the country. Under the section “Protection of Civilians,” the resolution authorizes the UN and all member states to “take all necessary measures” to protect the civilian population under threat of attack in Libya and excludes any foreign occupation force.

The concept of R2P holds that states must protect their people from mass atrocities by going through the stages previously discussed—a requirement well established under international law. When it comes to other states, as in the Libyan case, all bystander countries are obliged to take action and have no other choice when mass atrocities pose a threat to civilians.²⁹ Government officials who engage in acts of violence against their own people will always be aware of the possibility of a reaction involving the use of force against themselves.³⁰

Common acceptance of the concept has prompted both commentary and disagreement. Disputes over NATO’s involvement are abundant. If the purpose of the Western intervention had been to protect civilians and save lives, then one could characterize it as a catastrophic failure. That is, NATO could not protect civilians and caused even more deaths, despite not endangering the lives of its own forces. Located in the heart of a strategically and commercially important area, Libya is very significant for the Western powers. In the Arab world and beyond, the Libya case is seen as a real threat to hopes of change and independence.³¹ In other words, the intervention has affected the struggle within these countries.

Despite the arms embargo and no-fly zone, the persistence of counterattacks by NATO against the army forces of Gadhafi gave rise to arguments in terms of international law. Referring to Resolution 1973, some parties defended the action, noting that civilians were threatened by Gadhafi’s forces and could have been harmed unless these forces had been neutralized. Others maintain that persistent bombardment explicitly supported the rebels and that such authority is not and cannot be in the context of resolution.³² The most popular suspicions and assertions hold that the original purpose was regime change. Even before conclusion of the Libya disputes, Syria put the world on notice of the possibility of a lengthy, painful, bloody course of events.

Syria

Although the first demonstrations in Syria began in February 2011, it took a while before they became significant. For various reasons—such as Syria’s ethnicity and sectarian-based social and political structure, Bashar al-Assad’s lack of authority over the regime, and the country’s long-term political and commercial

relations with nations like Russia, China, and Iran—the Arab Spring arrived late in Syria. The first demonstrations were triggered by a young Kurdish man's setting himself on fire in Al-Hasakah, where the majority of the population is Kurdish, on 26 January 2011, just as Mohamed Bouazizi had done in Tunisia, igniting the Arab awakening in the Middle East and intensifying in Ar-Raqqah with the murder of two soldiers of Kurdish origin.³³

Shortly before the fall of President Zine el-Abidine Ben Ali in Tunisia and after several days of rioting in cities across Egypt, al-Assad told the *Wall Street Journal*, "If you did not see the need for reform before what happened in Egypt and Tunisia, it is too late to do any reform. This is first. Second, if you do it just because what happened in Tunisia and Egypt, then it is going to be a reaction, not an action; and as long as what you are doing is a reaction you are going to fail."³⁴ Al-Assad proposes a different path, finding it important that reform take place when the time has come for it. He does not favor quick concessions to the protesters, as occurred in Tunisia and Libya, thereby revealing weakness and encouraging further requests.³⁵

Syria's situation remained critical in 2012. Several international organizations have documented recent human rights violations resulting from the use of force in Syria. Further, events of armed violence there have turned into a civil war, and Syrian army and security forces have committed crimes against humanity.³⁶ The following discussion examines UN assessments and reports relevant to the situation.

The Situation in the Syrian Arab Republic, 21 February 2012³⁷

This resolution stresses that human rights violations in Syria have reached severe proportions and that the current political crisis there must be solved by peaceful means. It calls for a process that is free of violence, fear, threat, and extremity under the presidency of Syria and that takes the Syrian people's concerns into consideration. The resolution highlights that the Arab League supported a political transition period under the presidency of Syria and that the Syrian government should allow the transportation of humanitarian aid. Furthermore, it calls on all UN organizations for support and requests that the secretary-general present a report concerning enforcement.

Situation of Human Rights in the Syrian Arab Republic³⁸

Referring to Human Rights Council resolutions, this UN General Assembly resolution states that the Syrian government did not entirely and quickly implement the Arab Action Plan adopted by the Arab League, that human rights viola-

tions committed by Syria against its own people were alarming, and that these violations were strongly condemned. Once again, it called upon the Syrian government to terminate this situation and to fulfill the Action Plan without delay. The resolution also requested support from the secretary-general.

Resolution 2042³⁹

Resolutions 2042 and 2043 (see below) are the two most important draft resolutions on Syria. Resolution 2042 reads as follows: “*Noting* the Syrian government’s commitment on 25 March 2012 to implement the six-point proposal of the Joint Special Envoy of the United Nations and the League of Arab States, and to implement urgently and visibly its commitments, as it agreed to do in its communication to the Envoy of 1 April 2012” (italics in original).⁴⁰ It emphasizes that primary responsibility belongs to the Syrian government.

“Annex: Six-Point Proposal of the Joint Special Envoy of the United Nations and the League of Arab States”⁴¹

The Arab League played a crucial role in putting pressure on Syria. On 25 April, it issued a statement condemning the use of force against pro-democracy protesters in several Arab countries, saying that they “deserve support, not bullets,” but the statement stopped short of naming Syria and did not propose any concrete measures to end abuses.⁴² Joe Stork, deputy Middle East director at Human Rights Watch, remarked, “The Arab League is no longer a closed shop of autocrats and abusers so its members should name names and take action against serial rights violators like Syria. . . . If Arab countries joined the emerging international outcry against the abuses of Bashar al-Assad’s government, Syria would be more likely to listen and change course.”⁴³

Former president Bill Clinton’s words about the importance of the Arab League in the process and the Syria military intervention are quite remarkable:

We want to support the Arab League’s position, and we want to underscore that there is no intention to seek any authority or to pursue *any kind of military intervention*. . . .

. . . I know what side the majority of the Council is on, and we will work until we can find a way to usefully support the Arab League’s initiative, send a clear message to the Assad regime and the people of Syria, and then work toward a *peaceful resolution* of this terrible conflict.⁴⁴ (emphasis added)

Resolution 2043⁴⁵

Resolution 2043, in addition to reiterating the points made in Resolution 2042, establishes for an initial period of 90 days a United Nations Supervision Mission in Syria under the command of a chief military observer.

The Situation in the Syrian Arab Republic, 7 August 2012⁴⁶

The resolution cites the statement of 27 May 2012 by the United Nations High Commissioner for Human Rights: “Acts of violence in the Syrian Arab Republic may amount to *crimes against humanity or other forms of international crime and may be indicative of a pattern of widespread or systematic attacks against civilian populations* that have been perpetrated with impunity” (emphasis added).⁴⁷ It also expresses alarm at the violence directed against children and women, the flow of asylum seekers to neighboring countries, and the use of excessive force, heavy weapons, armor, and airpower against populated areas by the Syrian government.

In the Syrian case, the international community refers to actors as organizations responsible for defending and strengthening human rights—specifically, Arab states concerned about regional stability and Western states that contributed to shape the concepts of humanitarian aid and R2P. The attitude of the Arab League and Arab states toward Syria differs from the one toward Libya. Unlike their response to the situation in Libya, although they condemned Syria and suspended its membership in the league, they did not call for a foreign intervention to end the massacre and did not take a stable and common position on the fate of al-Assad. Many Western countries, particularly the United States and France, are calling for tough measures against Syria. Some countries believe that an intervention under the leadership of, and possibly conducted by, NATO may occur without official sanction from the Arab League or any authorization by the UN, unlike what happened in Kosovo.⁴⁸

However, this current assumption about NATO intervention is a bit excessive. Regarding the months-long civil war waged between the regime of Syrian president al-Assad and the Syrian rebels, NATO secretary-general Anders Fogh Rasmussen says that his organization has no intention of intervening militarily in the conflict: “We do believe the right way forward is to find a *political solution* . . . and we urge the international community to send a strong and unified message to the Syrian leadership to accommodate the legitimate aspirations of the Syrian people. So our position remains unchanged” (emphasis added).⁴⁹

Overall Assessment

In light of the two case studies, one general opinion holds that R2P is not to be judged in a military response in Libya and that the UN system should be questioned. Accordingly, the 2001 ICISS report is about the protection of civilians and considers military intervention a last resort toward that end. International solutions, as in the Syria case, should not associate R2P with military intervention. Other means of protecting civilians include “safe zones” or “humanitarian corridors.” Moreover, as the Arab League suggested, an armed group of observers or peace protection force would increase the pressure on al-Assad so that he would put an end to acts of violence and be able to negotiate. Misinterpretation of the concept might cause much more damage. Additionally, a veto by China and Russia regarding the Syria issue tarnishes the credibility of the UN. The international community should set an effective and meaningful course that highlights the necessity of energizing against mass murder and civil life-threatening situations and help the UN gain credibility.⁵⁰

According to another point of view, the fact that the resolution process has not changed when it comes to R2P means that national interests will influence the determination of the community’s reaction to domestic crises. This situation is surely not specific to China and Russia. The United States has also used its veto several times, blocking the motion of censure in the case of illegal Israeli settlements, and stood alone against 4 permanent and 10 nonpermanent members of the Security Council. Members of the council seem unwilling to change the decision-making process, favoring retention of their right to vote.⁵¹ However, recent developments point out the necessity of questioning this system and studies concerning this issue.

Echoes of the Vetoes

The following summarizes the international community’s reaction to the three vetoes of resolutions on Syria. Responding to the vote in the UN Security Council on Syria, Foreign Secretary William Hague of Britain said,

More than 2,000 people have died since Russia and China vetoed the last draft resolution in October 2011. Over 6,000 people have died in the 10 months since the uprising began. Many more have been tortured and detained. How many more need to die before Russia and China allow the UN Security Council to act? Those opposing UN Security Council action will have to account to the Syrian people for their actions which do nothing to help bring an end to the violence that is ravaging the country.⁵²

Similarly, José Luis Díaz, Amnesty International’s UN representative in New York, remarked that

for almost two years, the Security Council has stood by as crimes against humanity, as well as war crimes after the internal armed conflict began, have been committed with complete impunity against the Syrian people. . . .

The Security Council's weak rhetoric on Syria has failed to achieve any justice for victims, and has given human rights violators free rein to carry on committing serious crimes under international law without facing any consequences.

The continued failure to act would send a disturbing message that the international community has lost the will to protect civilians from harm in conflict.⁵³

Russia's ambassador Vitaly Churkin, however, "insisted the draft resolution lacked balance":

"Some influential members of the international community unfortunately . . . have been undermining the opportunity for political settlement, calling for a regime change, pushing the oppositionists to power," he said. . . .

Beijing's ambassador to the UN, Li Baodong, said the resolution would have been counter-productive.

"China maintains that, under the current circumstances, to put undue emphasis on pressuring the Syrian government . . . or impose any solution will not help resolve the Syrian issue."⁵⁴

According to Russian foreign minister Sergei Lavrov, "an amended draft resolution . . . 'aims to fix two basic problems.' There were '(first,) the imposition of conditions on dialogue, and second, measures must be taken to influence not only the government but also armed groups,' Lavrov said at a panel discussion at the Munich Security Conference, adding that these two issues are 'of crucial importance' from Russia's point of view."⁵⁵ The shadow of the situation in Libya has a considerable impact on Russian policies. Lavrov's words are striking: "Russia will do everything it can to prevent a Libyan Scenario happening in Syria." Adm Victor Kravchenko, former chief of naval staff, said that Moscow sent a message to the United States and Europe: "Having any military force other than NATO's is very useful for the region because it will prevent the outbreak of armed conflict."⁵⁶ The disputes on the concept and applications of the Libyan case are reflected in Syria as well. Some parties oppose any comparison of Libya and Syria while others consider a second Libya case to have negative outcomes.

Conclusion

As pointed out at the beginning of this article, although the international community has taken some steps to avert humanitarian crises, it has been a mere spectator in most cases. This causes a duality even before disputes over the concept become part of the equation. Further, almost all the decisions regarding humanitarian intervention were controversial. The developing concept of R2P was also

influenced by these disputes. Humanitarian intervention had always been associated with military intervention until the emergence of this concept, which gives the impression that it was designed to change this perception of humanitarian intervention. As we have seen, the relevant reports and resolutions frequently highlight the importance of preventing a humanitarian crisis.

At this point, it is clear that the concept and future of R2P are being put to the test. However, a lack of harmony between theory and practice will only cause suspicion, and yet another unsettled, disputed, and complicated concept will be brought into international law. The poor records of organizations such as the UN and NATO in such matters may also be responsible for distrusting the concept. Besides, changing or transforming the perception that humanitarian intervention involves military intervention will not be easy.

The introduction of R2P to the Libya case—which, according to some parties, should not to be considered within the frame of this concept—immediately caused disagreement. Along with allegations that humanitarian intervention is a mere fig leaf for an effort to form a legal basis for intervention, it has also been suggested that the original purpose is regime change. Inevitably, suspicion will erode the concept of R2P.

The crisis in Syria is much more compelling and complicated than that in Egypt, Tunisia, and Libya. Syria's position in the area, its relationships with important states there, and the multifaceted structure of ethnicity and religion all affect the process. The coexistence of numerous factors complicates discontinuance of atrocities, but people are dying and suffering while we discuss concepts. That the international community, often said to take lessons from past experiences, is "helpless" about the situation is another curious case. To think or suspect that humanitarian, moral concepts are being made an instrument of violence is at least as painful as witnessing the atrocity itself—and it is a crime at least as great as the crime against humanity

Notes

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