RESPONSIBILITY TO PROTECT - PILLAR 3

THE POLITICAL AGENDA BEHIND THE MILITARY INTERVENTION IN

SYRIA

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A Thesis

presented to

the Faculty of Law and Political Science

at Notre Dame University-Louaize

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In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

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by

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SEPTEMBER 2023

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Acknowledgements

I would like to express my sincere appreciation to my advisor, Professor Celine Merheb, for their invaluable guidance and support throughout the process of this thesis. Their expertise, feedback and patience have played a significant role in shaping the content and direction of this document, and in my personal motivation.

I am grateful to the faculty members of Notre Dame University Louaizeh, especially Dr. Dani Ghsoub, for their understanding, which have greatly helped me achieving this thesis.

I extend my thanks to my family for their constant encouragement and support throughout my academic pursuits.

I would like to express my gratitude to my friends for their helpful discussions and assistance during the various stages of this thesis. Their presence and encouragement have been truly valuable.

I would like to acknowledge all those who have contributed to this thesis in various ways. Your support has been greatly appreciated."

Abstract

This thesis delves into the Responsibility to Protect Doctrine, specifically focusing on Pillar three. Pillar three presents the greatest challenge among the components of the doctrine, as it grants authorization for the use of force and involves the delicate balance between safeguarding human rights and interfering in states' sovereignty. The research investigates the influence of political dynamics within the permanent five members of the UN Security Council on the adoption of resolutions pertaining to military intervention.

The primary objective is to cultivate a well-informed and balanced discussion regarding the challenges associated with the inconsistency and political influence that arise during the operationalization of RtoP in a continuously evolving global context. Additionally, the study examines the impact of veto power on the humanitarian situation within the current world order, with a specific focus on Syria as a case study.

To fulfill this objective, several analyses and literature sources have been consulted and employed to examine diverse perspectives on the doctrine and its implementation, particularly concerning Syria.

Keywords: RtoP, Military Intervention, Pillar 3, Syria, China, Russia, Veto, International Law

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List of Abbreviations

IHL	International Humanitarian Law
KSA	Kingdom of Saudi Arabia
UAE	United Arab Emirates
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
NSAs	Non-State Actors
IDPs	Internally Displaced People
LAS	League of Arab States
RtoP	Responsibility to Protect
HRC	Human Rights Commission
ICC	International Criminal Court
ISIS	Islamic State
ANF	Al Nusra Front
UK	United Kingdom
USA	United States of America
BRICS	Brazil, Russia, India, China, South Africa
UNSC	United Nations Security Council
UNSG	United Nations Secretary General
UNGA	United Nations General Assembly
RTOP	Responsibility to Protect
UNPKO	United Nations for Peace Keeping Operations
ICISS	The International Commission on Intervention and State Sovereignty
NATO	North Atlantic Treaty Organizations

GCC   Gulf Cooperation Country

OIC   Organization of Islamic Cooperation

MENA   Middle East and North Africa

Chapter 1: Introduction

"Intervention may be wise, may be right—nay, sometimes, may even be necessary.

But let us not deceive ourselves, intervention never has been, never will be, never can

be short,

simple or peaceable."

Charles James Fox

1.1 Topic and Context

The principle of the Responsibility to Protect emerged as a ground breaking concept in international relations, aiming to address the collective responsibility of the global community in preventing and responding to mass atrocities.

Protection of citizens from violence and aggression is one of the primary responsibilities of a sovereign state. However, it is not always the reality, and we are not short of examples where states failed to protect their citizens, starting by Rwanda and ending by Syria. Therefore, the International Commission on Intervention and State Sovereignty (ICISS), in reaction to the failings of the international community to prevent or respond to mass atrocities, such as the Rwandan genocide, initially, proposed the Responsibility to Protect idea in 2001. Later on, in 2005, the idea became a more serious proposed doctrine that was adopted by the UNGA.

The three pillars of the RtoP doctrine affirm that it is the responsibility of states to protect their own populations from mass atrocities, that the international community should support states in carrying out this responsibility, and that when states are unable or unwilling to do so, the international community should act swiftly and decisively to protect populations.

However, there have been many difficulties in putting the RtoP philosophy into practice, particularly when there is disagreement among the international community regarding how to react to mass atrocities. A prime example of this is the Syrian crisis, which broke out in 2011 and has already claimed the lives of hundreds of thousands of people while uprooting millions more.

The most contentious and controversial contested part of the RtoP theory has been its third pillar, which addresses the need of the international community to act swiftly and decisively to protect populations from mass atrocities. It raises concerns about sovereignty, the use of force, and the political influence of powerful states in the decision-making process because it entails the use of military action to protect populations. When the states fail to protect their population from mass atrocities, the international community, through the UN, allows itself to intervene to protect and prevent violations that could lead to a dramatic humanitarian crisis.

Welsh (2016) contended that the standard of a consistent pattern of intervention is too demanding, given that – like all issue areas that touch on the use of coercive means-implementation of RtoP is profoundly shaped by the political dynamics within, and unique structure of the United Nations Security Council.

This being said, the UN authorizes the military intervention under the protection of Human Right's umbrella, however the endorsement of the resolution is never easy and never as clear as needed to be. The UNSC is heavily criticized of being influenced by the P5 individual national interest and its foreign policies' agendas. Criticizers also spoke about the veto power that can be and/or is used at any time on the account of the affected civilians. The true motives of the veto are usually driven by the interest of the country flagging it or its alliances.

Syria's military intervention, as the most recent example, has been blocked due to the use of veto by two permanent members of the SC, which opened a great debate on the relevancy and the efficiency of the RtoP Doctrine under such a powerful "individual" tool.

1.2 Focus and Scope

Syria has been challenging the RtoP, specifically the operationalization of pillar three, and it has put the doctrine under test again. The international community was accused of failing to protect civilians in Syria, while China and Russia were accused of protecting the Syrian regime. The thesis analyses further the debate, which so far hasn't led to the unblocking of the resolution needed for the military intervention.

Even though Syria is the most recent context to challenge the RtoP, we should admit that Libya's experience had its great influence on the resolution related to the Syrian case. In the same year of the beginning of the Syrian war, 2011, NATO was authorized by the UNSC to intervene militarily under pillar three in Libya, which has led to the collapse of its regime and to the assassination of Gadhafi, thereby leaving the country in a terrible situation. Even though the Security Council sees the intervention in Libya as a success, some influential states believe that the intervention abused the use of force and that the actual drive behind it was a regime change rather than human rights' protection. The Libya debate has influenced the decision of both Russia and China to veto the draft resolutions for the intervention in Syria.

The study of the third pillar in the context of the Syrian crisis is the thesis' main objective. It specifically seeks to investigate how political agendas have impacted either the support for or the opposition to military intervention as a method of safeguarding

people in Syria. The study will examine the geopolitical motivations of significant regional and international powers, as well as the dynamics of the UN Security Council, with a focus on the use of veto power.

By digging into these factors, the thesis seeks to provide a comprehensive understanding of the complexities and challenges associated with the implementation of RtoP while focusing principally on its third pillar.

The scope of the research involves conducting a detailed examination of the political agendas and interests that have shaped the international response to the Syrian conflict under the third pillar and the veto used by the two giants, Russia and China. It will examine the various actors' conflicting viewpoints and strategic considerations as it analyses the reasons for some state's support to the intervention and the blockage of some others.

According to Davis (2015), while there is a degree of formal consensus among UN member states over the RtoP framework, concerns remain—particularly in Russia— over the lack of clarity about whether and when it should serve to trigger military intervention. The depth of internalization of the RtoP norm remained a matter of significant contention.

While Garwood and Gowers (2015) discussed China's positioning on the RtoP, they see that in response to Western criticism of the Russian and Chinese stances on Syria, Beijing has gone to significant lengths to explain and justify its position. China's aim has been to demonstrate that its behaviour during the Syrian crisis has been constructive and responsible, rather than obstructionist. Beijing has defended its opposition to proposed international measures against Syria by reference to both international legal principles and pragmatic considerations.

Therefore, the events and decisions made by the UN Security Council will be studied while also looking at the use of the veto and how it affected decision-making procedures. The analysis will use case studies and comparative methods to identify trends, dynamics, and takeaways from the application of pillar three.

1.3 The Relevance

In the fields of International Affairs and International Law, the research on RtoP is extremely pertinent and important. The failure of the international community to stop or appropriately respond to mass atrocities, such as the genocides in Rwanda and Srebrenica, led to the development of the RtoP principle. It signifies a change in international standards and emphasizes the moral and political duties of governments and the international community to defend citizens against egregious human rights abuses.

Studies that have already been done on RtoP have examined its conceptual roots, normative roots, and practical applications. The three pillars have been studied by academics and researchers, who have analysed the difficulties and complexity involved with each. The operationalization of pillar three remained complex, and with every conflict, it generates the continuous international debates on the responsibility of the international community towards ensuring the world peace.

With the Libya intervention that clearly created two opposing opinions, and the Syria blocked intervention, there were new discussions on the relevancy of pillar three but also on the effectiveness of the intervention. Some scholars, policy makers and international powers saw a success in Libya, while others took Libya as a motive to criticize the doctrine and the behaviours of both NATO and the P5. It is not only Russia

and China who refused to duplicate the Libya model in Syria, but also some other states were on the negative support to the military intervention in Syria. Looking at the matter from a political perspective, examining the relevancy of the decision-making process is essential and needed. It is easy to fall into the accusations of the regime whether in Syria, Libya or any other context where RtoP has been activated. However, the added value that this thesis brings is a pragmatic examination of the matter from a purely political perspective, without going into the labelling of who is guilty and who is a victim. It will specifically study the political dynamics of the states who claim to be protecting human rights through military intervention, and it will highlight how influenced they are by their international policies and their national interest.

The research of the political influence can shed light on the efficacy of the doctrine as a framework for preventing and treating crimes against civilians. The research of the motivations and circumstances that determine international reactions to mass tragedies, will enhance our understanding of the gaps in the doctrine and its operationalisation.

RtoP analyses typically overlap with other topics that are connected inextricably, such as international law, conflict resolution, peacebuilding, and humanitarian intervention. The research uses these multidisciplinary perspectives to examine the effects of RtoP in diverse situations, its connection to state sovereignty, and its interaction with other legal and normative frameworks.

It also clarifies the international community's obligation to protect communities from mass atrocities. Additionally, this study adds to the larger conversation on international relations, human rights, and global governance.

1.4 Questions and Objectives

The main question of the document is whether political interests are the main motives of the military intervention, or the protection of civilians from mass atrocities comes as a priority over the political agendas.

The aim is to explore the third pillar, focusing specifically on the military intervention and political influence in the case of Syria and the vetoed resolution. The Syrian conflict, which started in 2011, has resulted in the deaths of hundreds of thousands of people and the displacement of millions. The conflict has also been marked by crimes against humanity and war crimes committed by various parties to the conflict, including the Syrian government and armed opposition groups. Yet, the military intervention has been blocked due to some fears of another failure, but also due to the internal conflict within the P5.

This thesis analyses the effectiveness of the RtoP doctrine, and the true motives of the military intervention when heavily influenced by political interests. The Syrian context's complexity, due to the involvement of several armed groups in the conflicts and the crimes committed by all parties, draws many questions on whether military intervention is the correct answer to the violations committed against the populations. In addition, it draws other questions related to whether military intervention should be done against the regime itself or whether it is authorized to stop other armed groups involved in the war. This document further analyses the process of the RtoP, its third pillar, and the cooperation or non-cooperation between the different international actors, mainly the UNSC permanent members.

This thesis will not examine the crimes committed or point fingers at who is right or wrong. Instead, it will look at the political influence and the dynamics that play an

essential role in influencing the activation of Pillar 3 and the use of force against a specific state.

However, and as a hypothesis, this study resulted in the following:

The desire to protect civilians from mass atrocities is one of the primary motivations for military intervention in general and in the Syrian conflict, according to political interests, but there is also a strong emphasis on advancing geopolitical agendas and strategic interests. In such a case, the use of force to protect the civilians does not necessarily mean saving lives. The thesis findings conclude that in many cases, the consequences on the civilians are equally as bad as they were prior to the intervention.

Another drawn hypothesis is directly related to the relevancy of the resolution's processes and to the impact of the veto power on the implementation of the doctrine. The internal strife among the P5, especially on the United Nations Security Council (UNSC), has some significant consequences on how decisions are made. The power imbalance within the UNSC creates inconsistency in the military actions, which makes it an easy target for critics. The UNSC permanent members' divergent interests add to the complexity and unpredictable nature of military intervention in the Syrian conflict.

1.5 Structure

The first part of the study examines the third pillar and the authorization of the use of force. The RtoP theory and its three pillars will be briefly discussed in this chapter, with an emphasis on the third pillar. It will look at the main point of the use of force that is supported by the third pillar, its rules and processes. The third pillar's implementation is subjected to various obstacles, such as the intricate political factors that frequently

underlie the "harshness "of the intervention, or the crucial decision-making step of when to start and when to stop.

This part will also discuss the debate over whether military intervention under RtoP can be used for regime change as well. It argues that military intervention can be used as a pretext for regime change, while supporters maintain that RtoP is only intended to protect human rights and prevent mass atrocities, and that regime change is not the primary goal.

The second part will look at the function of the UN Security Council and the political conflict within the Security Council. This chapter will investigate the UNSC's involvement in the Syrian war, including the impact of the political conflicts of the P5 on the approval of the resolution. It will analyse the dual motives of the UN resolutions related to "going to war" under pillar three and how permanent members of the UNSC use their veto power to prevent the implementation of resolutions that have an impact on their international relations. The effectiveness of the RtoP concept will be discussed along with the reasons for and against the use of the veto power in the UNSC.

The third part will discuss the Syrian conflict and the political dynamics affecting the ratification of the resolution for the military intervention. It will look at the different approaches that have been used to resolve the conflict, including the UNSC's function and the application of the RtoP doctrine. In the context of the Syrian crisis, the chapter will also look at the difficulties in putting the third pillar into practice, especially the political factors that have complicated it. In the context of the Syrian war, the impact of politics on the implementation of the third pillar is examined, with an emphasis on China's and Russia's vetoes of the resolution authorizing military intervention. It will look at the reasons for the veto and the effect it had on how the third pillar of the Syrian conflict was implemented.

The conclusion will summarize the main findings of the thesis and provide recommendations for the future implementation and development of the RtoP doctrine. It will also reflect on the gaps in the doctrine and the implications of the political agendas on human rights, and the global response to mass atrocities. Syria was not the only case study examined by scholars, however it is the most recent one and rapidly changing, they have also delved into case studies, including Libya, and Myanmar, to evaluate the successes and limitations of the doctrine in practice.

Chapter 2: Literature Review

2.1 Background

In 2000, the United Nations Secretary General (UNSG) Kofi Anan challenged the world's leaders by asking his famous question: "if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to the gross and systematic violation of human rights that offend every precept of our common humanity?"

Five years later, in 2005, the Responsibility to Protect (RtoP) doctrine was adopted anonymously by the members of the United Nations (UN). This emerging doctrine addresses four types of crimes; genocide, ethnic cleansing, war crimes, and crimes against humanity.

It is composed of three pillars, mentioned in the articles adopted during the 2005 world summit (Appendix A):

> "***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. 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.*

Article 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, to help protect populations from genocide, 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 manifestly fail 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 who are under stress before crises and conflicts break out."*

Eighteen years on, the concept is not new anymore, however, it does not yet represent a legal norm as explained by the Director of Asia Pacific Center for the RtoP, Dr. Bellamy (2015). He says that although it is far from perfect (as are all things of human artifice), RtoP offers the best chance in our own time to build an international community that is less tolerant of mass atrocities and more predisposed to preventing them. His optimism is based on the fact that RtoP has achieved something that other

projects aimed at eliminating genocide and mass atrocities have not: genuine and resilient international consensus.

The two reference wars of the RtoP, Rwanda and former Yugoslavia in the 1990s, are still hunting the conscience of the international community until our day, therefore there is a big pressure on the international community to react and be more proactive in keeping the world's peace. Consequently, scholars such as Bellamy (2011) questioned if we are having high expectations from the UNSC in terms of keeping the world order and in terms of protecting human rights through the RtoP.

The unanimously adopted doctrine in 2005 at the UN World Summit has been criticized because it contradicted the sovereignty of the state, as clearly safeguarded in the UN Charter article 2-4 "4 (United, 1945). All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or any other manner inconsistent with the Purposes of the United Nations." Hence, the efforts in 2005 during the world summit to find a solution were intensified, and the introduction of the three pillars that form the RtoP were crystallized.

RtoP is fundamentally a simple concept. Pillar 1 holds the state responsible for the protection of its own population from four crimes: genocide, war crimes, ethnic cleansing, and crimes against humanity; whereas pillar 2 calls for the international community to support each other in upholding the responsibility to protect citizens and civilians.

> **Pillar 1:** Every state is responsible for protecting its populations from four mass atrocity crimes: genocide, war crimes, crimes against humanity, and ethnic cleansing.

Pillar 2: The wider international community is responsible for encouraging and assisting individual states in meeting that responsibility.

However, when the state fails to stand up for its obligation, the UNSC has the right on a case-by-case basis, based on Pillar 3, to decide whether the international community should intervene to respond in a "timely and decisive" manner into the sovereignty of another state accused of committing the crimes.

Pillar 3: If a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action in a timely and decisive manner and in accordance with the UN Charter.

This being said, military intervention should remain the last resort when all diplomatic and peaceful means fails, including the humanitarian intervention.

Professor in Criminal Law Rachel VanLandingham (2012) studied the dual nature of the RtoP, namely its legal aspect as opposed to its political dimension. While this doctrine contains several phases, pillar 1 and 2 are the ones that attained the status of customary international laws, whereas the latter responsive pillar 3 remains in a rather embryonic and amorphous manner.

2.2 The International Community and The Intervention

The ICISS theory of responsibility to protect further detailed the international community's obligations in three stages: 1) a responsibility to prevent, 2) a responsibility to react, and 3) a responsibility to rebuild.

The commission's report highlights the significance of addressing both the direct and indirect causes of internal conflict and other man-made crises. This emphasis on prevention has been praised by certain authors and academics. For instance, Alex J. Bellamy has emphasized the importance of the preventative part under pillar 1 and 2, contending that it is essential to detect and manage risk factors before they intensify into full-scale crises. VanLandingham as well wrote about the priority for the international community's prevention responsibility, stating that it had an obligation to "address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk."

In contrast to the relatively non-controversial acceptance of the concept of the state's responsibility to protect its population, the status of the RtoP that allows other states to collectively react to one of the four stated violations, into another state's sovereignty (pillar 3 of the RtoP) is much more controversial, as it authorizes the use of force through military intervention.

When prevention fails and populations are at risk of mass crimes, the ICISS study recognizes a duty to respond. Mixed opinions have been expressed about this idea. Some academics, including Anne Oxford (2011), think that protecting vulnerable groups requires a prompt and forceful reaction. She also voiced worries about possible abuses and misuse of military action under the authorized use of force, within the

responsibility to react framework, advocating care and adherence to moral and legal standards.

"There exists the temptation to think that the decision to use force can be as clearcut as the moral principles guiding RtoP. On the contrary, no amount of effort to provide RtoP interventions with an indisputable ethical basis can avoid the fact that the use of force still means going to war. He adds, the principle is still perceived by some as a way to justify intervention for political reasons under the veil of ethical principles" (Koops, 2015).

The obligation to rebuild is the third step of responsibility listed in the ICISS report. This phase highlights the need for the international community to help intervened states recover and rebuild. Although the importance of post-intervention reconstruction is widely acknowledged, some academics, including Thomas Weiss and Don Hubert, have criticized the scant attention and funding given to the rebuilding phase, contending that it should receive more consistent and significant international support. Libya is one of the most recent examples where the RtoP phase of rebuilding did not necessarily lead to the intended results, and it has impacted the future implementation of the intervention, namely in Syria. The case of Libya adds practical insights into the complexities of implementing RtoP and the delicate balance between protecting civilians and avoiding unintended consequences.

According to Weiss (2012), "Libya's intervention and subsequent reconstruction efforts highlight the challenges and limitations of RtoP interventions. It emphasizes the importance of sustained and substantial international support during the post-intervention phase to ensure effective governance, stability, and the protection of human rights".

2.3 Politicization of Pillar Three and the UNSC

The particular activities that the international community is expected to perform are not necessarily clear, in addition to the legal and moral obligations, and it is still debatable whether the responsibility to protect is a legal necessity or not. While some legal experts disagree and contend that the idea is purely political and not legal, others disagree and claim that the duty to protect is a customary law.

The adherence to the law by nation-states in the international arena rarely fails to include a weighing of national interests, resources, and other dynamics: in other words, politics. In the argument, even though when defending the RtoP principle, we can't deny the impact of the political influences in the implementation of the doctrine, as the international community even when implementing international law, does not spare its interest in the national resources, and its national interests, that would play an important role in its diplomatic approaches to the matter. This also brings the issue of the case-by-case aspect of pillar 3 that leaves room for different interpretations, and debates without clarity on the rules and regulations that are the basic standard for any related decision.

Speaking about problematizing the use of force under two major perspectives, the first would be the temptation to assume that RtoP implies a change of the regime in the underlying rationale and perpetration of war, (Koops, 2015). As for the second, RtoP, if it is to move from norm to operationalization, has to seriously engage with difficult questions such as collateral damage, cross border spillover and regime change. The intervention much reconciles "complicated political and military problems" and "technical, diplomatic, and strategical factors that ate involved".

However, and after the examination of State practice and opinion juris reinforces the notion that States do not view RtoP's Pillar 3 as a legally binding obligation (Nahlawi, 2020). In UNGA discussions on the UN Secretary-General's 2009 Implementing the Responsibility to Protect report, for example, the United States declared that where prevention fails and a State is manifestly failing to meet its obligations, we also need to be prepared to consider a wider range of collective measures. Russia called for further in-depth work on the main elements of RtoP's implementation and iterated that this work is far from complete. Mali maintained that discussion on the third pillar must continue in the General Assembly. Other States hinted that Pillar 3 could be abused and employed as an interventionist tool by powerful States.

It is then obvious that the concerns around pillar three are serious and would require a further discussion, within the UN member states and the Permanent five members of the council. Vietnam stated that the qualifier's timely and decisive collective action, described as pillar three in the Secretary-General's report, requires a clear and rational definition to prevent its possible confinement to coercive military force as the only alternative.

While Weiss wrote that the debate since the 1990's can actually be seen as moving beyond "whether to intervene" to "how", the ICISS justify the "just war" theory in accordance with four elements, namely: 1) the right intention, it should be to stop and avert human suffering 2) last resort military intervention can only be justified when every nonmilitary option has been explored and did not succeed 3) proportionality: the scale, the duration, and the intensity of the planned intervention should be the minimum necessary to secure the defined human protection objective 4) reasonable prospects, entailing that the percentage of success needs to be high (Weiss, 2012).

Additionally, and in case of an intervention, only the United Nations Security Council can authorize such an act, as long as six outlined criteria are met: right authority, just cause, right intention, last resort, proportional means, and reasonable prospects. The ICISS report did not distinguish between the state as a perpetrator and situations in which the state failed to protect its population from the above acts (VanLandingham, 2012).

It is undeniable that there is a general consensus that pillar 3 is the last resort, and that the international community should appropriately encourage and help States exercise their sovereign responsibility and support the United Nations in establishing an early warning capability. Nevertheless, 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 to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity.

In the case of Syria, even Iran, and despite its support to the Syrian regime and its opposition to the sanctions against the Syrian government, still believes and places the responsibility to end human rights' violations in Syria on the shoulders of the Syrian government. Syria itself did not argue against its responsibility to protect its people; instead, it denied that it was committing such atrocities while blaming them on opposition forces, justifying its actions as merely a reaction (VanLandingham, 2012).

Another element that has been mentioned, especially by those reluctant to the doctrine, is inconsistency, as the countries are not treated equally. Mohammed Ayoob (2010) says that some countries might be considered as 'more equal' than others. Specifically,

the UNSC so-called 'big 5', that is: Russia, China, the US, the UK and France[1], through the use of their veto power not only make the possibility of an intervention within their national borders impossible, but can also hinder humanitarian assistance in countries where it is needed, only to preserve their own interests.

Furthermore, in the African continent, some African analysists are challenging the RtoP as being a western tool to intervene in the African countries' national affairs at any time in any matter as suitable for their diplomatic agenda. Bellamy (2015) challenges this accusation, as according to him there is not enough evidence to the matter, although he admits that Libya and Ivory Coast "stand as rare exceptions in the twenty-first century, especially when compared to instances of intervention during the Cold War and immediately afterwards".

Notwithstanding the fact that the UN charter largely prohibits the use of force, military intervention is political and polarizing by its very nature, says Koops (2015). For the third pillar, this polarizing effect is amplified by the space it shares – rightly or wrongly – with "humanitarian intervention". Unlike humanitarian intervention, the use of force under the RtoP is conceptually delimited by the need to secure a UNSC mandate and is restricted only to four crimes. Yet the principle is still perceived by some as a way to justify intervention for political reasons under the veil of ethical principles.

2.4 Responsibility to Protect in Syria

The "Arab Spring" in Northern Africa and the Middle East from Libya to Syria imposed a pause and a wandering around the implementation of Pillar 3. The related complex

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[1] Permanent five members of the UNSC, known as the P5

situation has raised several debates around its legitimacy and its true drives. Garwood-Gowers wrote that the Syria crisis illustrates that UNSC members remain deeply divided over when and how to respond to an intrastate humanitarian crisis. Rapid, decisive international action involving robust measures, as in Libya, is likely to remain the exception. Disagreement and deadlock, as in Syria, will continue to be the norm.

Furthermore, the Syrian RtoP situation has been gravely lacking, most notably due to the UNSC's paralysis as a result of persistent Russian – and to a lesser extent Chinese – vetoes. The vetoes against a draft Security Council resolution in early 2011, coning the violence in Syria, were not cast because Syria lacked any responsibility to protect its people (Nahlawi, 2020). Instead, China and Russia are the only members of the Security Council to use their veto. It has been argued that 'the demise of a regime responsible for the mass atrocities that trigger an RtoP intervention is logically inevitable (VanLandingham, 2012). Even strong supporters of RtoP acknowledge that military intervention under the third pillar will involve a blurring of the lines between civilian protection and other goals such as the removal of oppressive governments (Garwood-Gowers).

Koops (2015) spoke about 5 reasons behind China's ambivalence towards RtoP's third pillar based on the country's willingness and capabilities, legal authority and political legitimacy.

While Russia has been driving its decisions on Syria by its objections and critiques from the Libya situation, Russia stressed that 'the situation in Syria cannot be considered in the Council separately from the Libyan experience' and that, in similar vein, it was 'alarmed by statements that compliance with Security Council resolutions on Libya in the interpretation is a model for the future actions of NATO in implementing the responsibility to protect'. In other words, Russia's concerns and

objections are about the way the west is interpreting the RtoP Pillar 3, and not necessarily against the doctrine itself.

Furthermore, the arbitrary widening of the scope of the UNSC Resolution mandate by some states, from imposing a no-fly zone over Libya to forcing a regime change, has exacerbated the distrust among some of the Permanent Members of the Security Council and other states. The lengthy process by the UNSC in Syria, for instance, is proof of non-consistency that highlights the existing conflict between the P5 members on the operationalization of the military intervention under the RtoP. The foot-dragging in the matter is either in order to hide ulterior political motives or because of genuine uneasiness with the danger of selective and arbitrary use of the RtoP principle by powerful regional or global powers to justify foreign interventions.

The rational thinking suggests that sovereignty and military intervention should be seen as counterbalancing, so the latter should be considered as a last resort. However, the inconsistency of UNSC's reaction to various crises since the end of the Cold War, termed "selective security", has tended to highlight the role of national interests rather than humanitarian needs (Koops, 2015). In addition, what could create the balance between sovereignty and the use of power through an intervention should be the focus on responding to the human rights' needs and violations rather than aiming at changing the regime.

The thesis further examines the doctrine's pillar 3 application in Syria, as one of the most and still ongoing contemporary conflict. The several attempts of the UNSC to intervene militarily in Syria under pillar 3 have been paralyzed by Chinese and Russian vetoes. This case and these two countries are challenging robustly the validity of the RtoP in protecting civilians, but also the objectivity of the UNSC and its inconsistency in responding to conflicts affecting civilians.

Not to underestimate the influence of the politics on the doctrine, Bellamy (2016) said that the principle is simple; it is the politics that surround it and the challenge of realizing its ambition in practice that is so difficult.

The theoretical framework aims to investigate the impact of political dynamics on military intervention under the framework of the Responsibility to Protect. It will shed light on the motivations, interests, and calculations that influence state conduct in the context of RtoP interventions in Syria, by examining the interaction between political factors and the decision-making process. The true drives of pillar three will be challenged theoretically (whether they are driven by humanitarian reasons or not), while the implementation is rather drawing attention to the political reasons.

2.5 Theoretical Framework

Through examining the challenges faced in effectively implementing humanitarian interventions in war-torn Syria, a variety of international relations theories were studied and found to be applicable to the context of the RtoP in Syria.

Realism, which focuses on the national interest of the state and on the empowerment of its sovereignty, provides relevant insights into the dynamics of the Syrian conflict, especially concerning the involvement of external actors and the pursuit of their national interests.

The first assumption of realism is that the nation-state is the principle actor in international relations. Other bodies exist, such as individuals and organisations, but their power is limited. Second, the state is a unitary actor (Meiser, 2018). National interests, especially in times of war, lead the state to speak and act with one voice. Third, decision-makers are rational actors in the sense that rational decision-making leads to the pursuit of the national interest. Here, taking actions that would make your state weak or vulnerable would not be rational. Realism suggests that all leaders, no matter what their political persuasion, recognise this as they attempt to manage their state's affairs in order to survive in a competitive environment. (Sandrina Antunes 2018)

While Liberalism highlights the importance of human rights and democracy. As an international relations theory, Liberalism focuses on cooperation, multilateralism, and the role of international institutions in resolving conflicts and promoting peace. As Bloor 2022, wrote that liberalism contends that international institutions maintain a system of harmony and balance amongst states. Military and political conflict can be reduced with a combination of international institutions combined with a complex

system of 'interdependence'. According to liberals, mutual dependence provides the key towards a degree of equilibrium within international relations. Harmony can therefore be created through an emphasis upon liberal values.

The combination of both aforementioned theories fits into the Neorealism theory. The Neorealism school emphasises on both domestic and international factors which helps in understanding the interplay between internal politics, leadership decisions, and external influences. In the case of Syria, for instance, it highlights how the rule of the regime and its actions, as well as the interventions of regional and global powers, have influenced the conflict and the military intervention.

As a theory of international relations, Realism contends that governments act largely out of self-interest, motivated by concerns for their national security and the desire for dominance. According to this idea, states prioritize their sovereignty and are hesitant to interfere in the domestic affairs of other states until those interests are seriously threatened. RtoP, on the other hand, opposes the realist viewpoint by highlighting the obligation of the international community to protect vulnerable populations.

Contrarily, Liberalism places a strong emphasis on the value of international institutions, rules, and collaboration in resolving global issues. It makes the case that military operations should only take place with the approval of the world community and with the backing of recognized organizations like the United Nations. This theory connects directly with the RtoP doctrine, emphasizing on the obligatory approval of the UNSC for any resolution of military intervention under pillar three.

Meiser 2018, explained that Liberalism is based on the moral argument that ensuring the right of an individual person to life, liberty and property is the highest goal of government. Consequently, liberals emphasise the wellbeing of the individual as the

fundamental building block of a just political system. A political system characterised by unchecked power, such as a monarchy or a dictatorship, cannot protect the life and liberty of its citizens. Therefore, the main concern of liberalism is to construct institutions that protect individual freedom by limiting and checking political power.

Looking at the Syria conflict and the political dynamics, in addition to focusing on various elements like international standards and political interests, Realism and Liberalism are the most applicable international relations theories to the conflict.

Realism

Realists place a strong emphasis on the value of the interstate power balance. Numerous regional and international powers, including the US, Russia, and Iran, have taken an interest in the situation in Syria while pursuing separate geopolitical objectives. Russia, for instance, alongside with China, used its veto power to ensure the power balance in the middle east.

According to Realism, states generally act in accordance with their own national interests. China and Russia have sided with President Bashar al-Assad's government in Syria throughout the conflict. Both nations have interests in the region that are strategically important, such as access to ports with warm water, influence in the Middle East, and thwarting Western interventionism. It is in their national interests to veto resolutions that may have prompted international action. Same as the western countries who, of their national interest, prefer to oppose the Assad regime, and insist on the use of force, that naturally will lead to a regime change.

The Realist theory acknowledges the significance of projecting Power in international affairs. Due to their status as permanent members of the UN Security Council, China and Russia are able to block decisions that would be harmful to their interests. They are proving their power to affect the course of events in the area by vetoing measures pertaining to the Syrian war.

If it were not in the interest of the western world to aid Syrian opposition — financially and militarily — then they would not have intervened. A realist would not spend time, energy, and resources without gaining anything from it. Neither the U.S., E.U., Turkey, Saudi Arabia, Russia, or Iran would allow risking its security if they were not affected by who won the Syrian war (Sohail Ahmad Ahmad, 2020)

Furthermore, both China and Russia, place a strong emphasis on the idea of state sovereignty and non-interference in the internal affairs of other states, which is a strong element of the Realist school. These principles have been consistently cited by the states who are opposing the intervention and not exclusively China and Russia. They contend that discussions between Syrians themselves should be used to end the war, instead of seeking an external military intervention, or an internal regime change.

Despite its applicability, Realism still faces considerable challenges when applied to the Syria war.

Realism tends to focus on the actions of states as the primary actors in the international system. However, the Syrian conflict involves a multitude of actors beyond states, including non-state armed groups, terrorist organizations, and regional powers. These actors often pursue their own interests and have complicated alliances and rivalries that cannot be easily explained solely by state-centric realism.

Realism tends to prioritize military power and security concerns. However, the Syrian war has highlighted non-conventional threats such as terrorism and armed groups. As Hosseini (2018) wrote Realism theory provides answers for the root of a conflict or the reasons behind a state's behaviour. However, in this theory, there is no significant place for non-state actors, like ideologically driven terrorist networks such as Al-Qaeda. In the Syrian conflict, not just Al-Qaeda is an important player; the extremist group ISIS has played a substantial role over the course of the war. These threats go beyond traditional realist notions of power and security and require a broader perspective that encompasses non-traditional security challenges.

By focusing on self-interest, the humanitarian dimension might be compromised, like in the case of Syria. The war has resulted in significant human suffering, including the

displacement of millions, civilian casualties, and widespread human rights abuses. Realism's emphasis on states' pursuit of their own interests may downplay or neglect the moral and ethical dimensions of the conflict. Therefore, it hasn't been easy to address effectively the humanitarian aspects of the Syrian war due to its emphasis on power and self-interest.

Lastly, Realism frequently adopts a descriptive stance, emphasizing how states factually behave rather than outlining how they ought to behave. Thoughts on matters like human rights, humanitarian action, and the duty to protect are raised by the Syrian conflict and the obligation of the state to protect its own population. These normative factors may be overlooked or undervalued due to realism's focus on power politics.

Liberalism

Liberalism places a strong emphasis on the value of international institutions, rules, and collaboration in resolving global issues. It makes the case that military operations should only take place with the approval of the world community and with the backing of recognized organizations like the United Nations. In the case of RtoP, only the UNSC can authorise the use of force, and the P5 can still practice their veto power to emphasise their positions.

In fact, international institutions, norms, and collaboration are important for tackling global concerns, according to Liberalism as a political theory. Moreover, a framework for settling disputes and fostering peace and stability among states can be provided by international cooperation and the application of the law. This applies coherently to the case of the RtoP framework, which holds the international community responsible to maintain the world peace.

At the international level institutions and organisations limit the power of states by fostering cooperation and providing a means for imposing costs on states that violate international agreements. Economic institutions are particularly effective at fostering cooperation because of the substantial benefits that can be derived from economic interdependence (Meiser 2018).

Liberals advocate for the creation and development of regional and global organizations like the European Union, the World Trade Organization, and the United Nations. They contend that these organizations give countries a forum for discussion, bargaining, and cooperation, thus enabling them to tackle international problems jointly. Looking deeply into the Syria context, it is evident that the role played by the League of Arab States, the Organisation of Islamic Cooperation, in addition to the EU and others, is significant in pushing the different sanctions and other measures against the Syrian regime. This being said, the most recent changes, and the readmission of Syria into the Arab league, in addition to the re-establishment of the diplomatic relations with the GCC, will have a significant impact on the discourse of the Syria war.

Liberals place a high value on using peaceful methods to settle international crises and disagreements. They support the use of diplomacy, negotiation, and dialogue as powerful methods for handling and resolving disputes. Nations may identify common ground, develop trust, and cooperate to solve global issues through having productive discourse. For instance, China and Russia preferred to use more diplomatic means in solving the Syria crisis rather than going to war.

This strategy is more in line with what pillar 1 and 2 focus on. Building the capacity of the Syrian regime to defend its population, and using diplomatic tools to negotiate and pursue the change required to protect the Syrian population fits into the liberals' objectives.

Furthermore, Liberals attach great importance to the concepts of human rights and international law. They contend that these norms establish rules and principles that direct governmental acts, producing a uniform framework for behaviour. Hence the insistence of the international community on refereeing to the RtoP in order to protect human rights and avoid genocide in Syria.

Aligned with the RtoP rules, about the authorisation of the use of force, Liberalists argue that military interventions should be a last resort and should only be undertaken with the consent of the international community. They believe that interventions should be authorized by established international bodies, such as the United Nations Security Council, to ensure legitimacy, collective decision-making, and accountability.

Even though it is one of the most applicable theories in Syria, Liberalism is also faced with challenges of its own, which makes Syria's RtoP context contentious on different levels, and there are no exclusive theories connected to its dynamics.

The criticism of Liberalism is mainly around sovereignty and non-interference. Liberalism promotes the idea of state autonomy and refrains from meddling in the internal affairs of other states. These values would need to be broken in order to intervene militarily in Syria because doing so would mean employing force against the Syrian government without its will. The liberal principle of respecting state sovereignty is put to the test by this.

Furthermore, critics, argue that liberal peace is doing little for the emancipation of the general public. Rather, liberal rhetoric seen as justifying the western-led peacebuilding project which is, in reality, an articulation of a new form of imperialism to reinforce Western hegemony through the promotion of neoliberal capitalist development (Kuchling, 2020)

In addition, the international cooperation and the multilateralism are very essential in the Liberalist theory for resolving international problems. However, due to competing interests and geopolitical rivalries, it has been difficult for international actors to come to agreement and take coordinated action, especially through institutions like the United Nations. This restricts how liberal ideals can be used in practice when considering military action.

Military actions frequently have unanticipated effects, despite having good intentions. It is difficult to foresee the long-term repercussions of military intervention in Syria due to the complexity of the war, which involves several factions and external actors. Concerns about the efficacy and moral ramifications of intervention arise due to the potential of growing violence, raising sectarian tensions, and resulting in civilian casualties. This point has been raised by both China and Russia, alongside with other states who stand against the interventions.

Liberalism places a strong emphasis on the value of legitimate authority and reasons for using force. Since the Global War on Terror and interventions in Afghanistan, Iraq and elsewhere, some argue that a crisis of liberal peace has emerged. These interventions have exposed the violent, coercive, and militarised character of a cosmetically pacific liberal order, and several problems, including exacerbated conflict dynamics, developmental failure, and localized and transnational resistances (Kuchling, 2020).

It is important to mention that the above two theories are not exclusive for the Syria context, looking at the several layers and the complexity of the war. It is as well complex because of the involvement of several parties at both national and international levels, in addition to being a context that is constantly changing.

This being said, the most challenging theory to be applied is Neorealism, because its applicability may change based on the particular component or dimension being analysed. The complexity of the Syrian conflict, which encompasses several parties with various objectives and interests, may not be fully captured by Neorealism, despite the fact that it offers insights into the dynamics of intervention and proxy warfare.

Neorealism

Neorealism is also termed "structural realism," and a few neorealist writers sometimes refer to their theories simply as "realist" to emphasize the continuity between their own and older views. Its primary theoretical claim is that in international politics, war is a possibility at any time. The international system is viewed as completely and always anarchic. While norms, laws and institutions, ideologies, and other factors are acknowledged as influencing the behaviour of individual governments, neorealists typically insist that they do not alter the central role that war plays in international politics. Nor do alterations in the characteristics of governmental units—from ancient empires to the European Union, and everything in between—affect the underlying logic. (McKeown, 2014)

Neorealism tends to concentrate primarily on state-level variables and power dynamics, frequently ignoring the role of non-state players including rebel groups, militias, and extremist organizations. This may make Neorealism less appropriate in the Syrian context. These non-state players have contributed significantly to the conflict and changed its direction in ways other than those predicted by conventional, state-centric power assessments.

Moreover, it may fall short in capturing the ideological and sectarian aspects of the Syrian conflict. Complex sectarian divisions and conflicting identity and legitimacy narratives have characterized the war and have had an impact on state and non-state actors' behaviour and activities. The theory may not fully address these internal dynamics and the contribution of identity politics to the conflict due to its concentration on systemic variables and the balance of power.

While Neorealism offers insightful analyses of states' intentions and behaviours in the context of military intervention, it is crucial to combine it with other theories and viewpoints to develop a more complete understanding of the Syrian war. Applying theories like Realism and Liberalism can help in understanding the intricate interplay of concepts, social dynamics, and norms that affect state behaviour, interactions between non-state actors, and the wider humanitarian ramifications of the war.

Chapter 3: Methodology

The thesis questioned the true motives of the third pillar of the Responsibility to Protect. On the one hand, it sought to examine whether pillar three is a genuine protective measure with respect to the violation of human rights or whether it is manipulated by the political agenda of the P5. On the other hand, it inquired about the effectiveness of this doctrine, especially that it can be subjected to the veto power of the major players at the UNSC.

In order to better understand the meaning, scope, content and true drives of the use of force under Pillar 3, through military intervention into another's state sovereignty, this thesis used an exploratory qualitative research methodology, combined with a deductive research type. This approach allowed a deeper look into the concept of the RtoP, its limitations and the political rhetoric, in order to unpack the gap between the theory and its implementation.

The exploratory type is a constructive approach that allows the reader to understand the main aspects of RtoP and its three pillars, focusing on the most debatable one, military intervention under pillar 3. It is essential to note that pillar 3 authorizes the use of force as long as it is approved by a UNSC resolution. Moreover, it is acknowledged that the UNSC is the sole authority that can validate and legitimize such a breach of sovereignty.

The deductive theory was used to test the effectiveness of the operationalization of the doctrine. Supplementally, the case study of Syria was worth mentioning in order to analytically evaluate the repercussions of the Russian and Chinese vetoes, blocking the resolution of intervening in Syria, against the interference of the Western Block.

The Syrian case was also considered for this thesis, because it has been the most recent scholars' debate, with blatant accusations towards the international community of failing to protect local unarmed civilians.

Researchers defending the doctrine admitted that, despite the gaps in the implementation of the principle, the RtoP remains an essential tool to protect civilians from atrocities committed on them by their government. "The principle is simple: it is the politics that surround it and the challenge of realizing its ambition in practice that is so difficult" (Bellamy, 2016).

The thesis adopted a descriptive approach to the qualitative methodology, as it is the most appropriate way for the writer to examine the theoretical aspect of the doctrine. The thesis aimed to understand the RtoP doctrine, and the limitations of its application by highlighting the impact of the political interests on the influential states' members of the UN, without limiting it to the permanent members. In addition, it intended to clarify the correlations between the political objectives of the P5 and the decision of the military intervention in Syria.

The qualitative study used an objective analysis, through collecting data from a wide variety of authors and researchers, regardless of their stands about the doctrine. Secondary data from different researchers and scholars, in addition to PhD students who focused on the Syrian and Libyan conflicts and the operationalization of the RtoP in the two contexts, were collected.

The RtoP is described and explained at length, with a focus on Pillar 3 and its implementation in Syria. Taking into consideration that the subject of the thesis is a theory under international law and international relations, there will be no influence on the doctrine itself, but rather a discussion concerning its gaps and strengths. UN

resolutions, along with various analyses related to the RtoP processes, have been carefully studied and examined in order to be as objective as possible in the discussions.

No interviews or surveys were conducted in support of the stance held throughout this thesis. Instead, the foundational pillar in terms of references and supportive material is represented through an extensive literature review in chapter 1, considering the rigidity of the topic that is being explored from both a legal and a theoretical viewpoint. An interpretive approach to the information was opted for, with a constructive and objective opinion towards the critics as well as the defenders of the RtoP. The displayed method aimed to conceptualize the theoretical aspect of the RtoP in order to evaluate its pertinence and applicability to the current conflict in Syria, taking into consideration the UNSC veto rights.

The methodology focused on the impact and influence of the political interests (at internal, regional and international level) of the permanent five members of the UN council, with a special emphasis on the opposition of China and Russia to the Western alliance. It also used a comparative study of the data analysis, highlighting the example of Libya as a lesson to be learnt for the RtoP implementation in Syria.

The UN charter, in addition to the 2005 UN summit outcome documents, were the base of the initial research, to better understand the concept and identify its different layers. Furthermore, scholars such as Alex J. Bellamy and Thomas G. Weiss were quoted and played a crucial role in collecting information and having a deeper insight into the implementation of the theory, even though both of them are defenders of the concept. Similarly, Jennifer Welsh, who served as the Special Adviser on the Responsibility to Protect under UN Secretary General Ban Ki-moon between 2013 and 2016, acknowledged in her interview — which was thoroughly examined for this thesis — that the "broad-based failure" to address Syria's crisis. Welsh explained that "states

aren't necessarily contending that there isn't an international responsibility to act, but they wonder whether force is appropriate, and particularly whether force will achieve good." (Lupel, 2013).

Bellamy is one of the main defenders of RtoP, even though he did not refrain from criticizing it at times. The majority of the research proved to be conducted against the Syrian regime, as this was the principal cause for accusing the international community of failing to protect the Syrian population from the Assad regime. However, there is a need to increase the analysis addressing the political correlation between the blockage of the military intervention under pillar 3 and the political interest of the Chinese-Russian allegiance in Syria and the middle east. Comparative study of the different opinions was necessary through a wide gathering of authors to provide credible and objective recommendations by the end of the thesis.

The iterated resources are meant to focus on the interest of China and Russia in influencing the international political scene, while questioning the prerogatives related to the western invasion under the human rights umbrella. However, no detailed analysis was found regarding China's and Russia's alliances with the Assad regime, which is arguably described as their last standing ally in the Middle East.

The fear of losing alliance in the Middle East, paralleled with the fear of expanding the interference of the West in the internal affairs of the East, drove China and Russia to block the resolution. Furthermore, the reluctance of China and Russia in Libya and the relative failure of the intervention in Northern Africa created an extreme position of the two members of P5 when it comes to authorizing the use of force again.

Chapter 4: Results and Discussions

Despite the relatively long period since the ratification of the RtoP doctrine (2005), the principle is still gathering a global attention. The recent conflicts and the protracted wars played a significant role in fuelling the debate, and generating attention to the relevancy of the RtoP. The RtoP articulates a link between the management of violence by the international community and the fundamental principle of sovereignty. As mentioned by Bellamy (2010) in his article Responsibility to Protect – Five Years On, "to further complicate the matters, profound disagreements persist about the function, meaning, and proper use of RtoP, and the principle has been inconsistently applied".

RtoP as a principle should complement the state's sovereignty and encourage the state's accountability towards its population. However, practical experiences have proven that the RtoP seems to rather contradict and undermine the sovereignty of host states. Conversely, it has actually managed to play a heavy role in changing local regimes, sometimes forcefully, instead of increasing their accountability.

As stated in the doctrine, Pillar 1 dictates the responsibility of every state to protect its population from four mass atrocity crimes: genocide, war crimes, crimes against humanity and ethnic cleansing. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. It is the duty of the State to accept that responsibility and to act in accordance with its postulations. Co-ordinately, pillar 2 holds the international community responsible to encourage and assist individual states in meeting their sovereign responsibility towards their respective populations. Henceforth, the international community is committed to supporting states through capacity building in order to make sure that the obligations

mentioned in Pillar 1 are met. Last but not least, Pillar 3, which is the main interest of this thesis suggests: If a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter.

4.1 Investigating Pillar Three

4.1.1 Redefining the Military Intervention in Protecting Civilians

The RtoP principle has three pillars, with the third pillar relating to the use of force. This pillar states that the international community has a responsibility to take appropriate action, including the use of force, in a timely and decisive manner when peaceful means are inadequate and national authorities are manifestly failing to protect their populations from the four mass atrocity crimes mentioned above.

While 1 and 2 deal more specifically with the local state's responsibility towards its own citizens, Pillar 3 focuses on the international community's moral responsibility to interfere when the first two pillars fail. It is worth mentioning that Pillar 2 also condones the interference of the   international community restrictively through international relations, soft diplomacy, and international affairs. However, the third pillar permits the use of force by the international community against the sovereignty of another state, as long as it is considered a "timely and decisive action" that is meant to prevent and halt genocide. The latter seems very difficult to achieve, albeit not impossible. Therefore, the RtoP objective is not necessarily to prevent, rather than minimize the atrocities and the crimes against the civilians.

The actions under the RtoP are not only constrained to military intervention, but they can take a vast variety of forms, including: economic sanctions, international criminal trials and, most controversially, the use of force. However, the use of force under the

third pillar of RtoP is not automatic and requires authorization by the United Nations Security Council (UNSC). The UNSC has the primary responsibility for the maintenance of international peace and security, and its authorization is necessary for the use of force in any situation.

The recent crises that have erupted in places such as Libya, Syria and the Central African Republic highlighted the need to better understand the execution processes, the opportunities and the risks involved in the implementation of Pillar 3 when it comes to military intervention. "Furthermore, there is further need to apprehending how third pillar activities interact with, and mutually affect, the first and second pillars, and preventive and re-building initiatives aimed at avoiding pillar-three situations from occurring in the first place (Fiott & Koops, 2014).

Even though this thesis will not deal with this correlation, it is worth mentioning that the three pillars are interlinked in their core, and the implementation of one has an impact on the other two.

Pillars 1 and 2, are about the international community contribution to capacity building and support to the state, when the state is unable or unwilling to safeguard its citizens. The international community contributes to the prevention or reduction of the risk of mass crimes by doing this.

Intervention under Pillar 3 is viewed as a last resort when a state is unable to safeguard its citizens under Pillar 1. The international community may step in to defend the harmed population and hold the culprits accountable if all diplomatic and peaceful options have been exhausted.

If assistance provided under Pillar 2 is insufficient and a state is unable or unwilling to safeguard its citizens, the international community may step up its reaction to include

intervention actions under Pillar 3. To prevent or stop mass crimes, intervention may mean taking a variety of steps, such as enforcing sanctions, establishing no-fly zones, or deploying peacekeeping forces.

Pillar three foresees the use of a number of non-coercive and coercive tools, including those under Chapters VI, VII and VIII of the UN Charter (Appendix B). These range from negotiations, inquiries, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means to economic sanctions. Blockades and military intervention should be a last resort. Actions can only be authorized and in accordance with the Security Council authorization (Appendix A)), which is ruled and managed by the UN states' members.

The UNSG clarified the current status of the RtoP when it comes to the use of force mentioned in pillar 3, which is against the Article 2(4) of the UN Charter[2]: when a State refuses to accept international prevention and protection assistance, commits egregious crimes and violations relating to the responsibility to protect and fails to respond to less coercive measures, it is, in effect, challenging the international community to live up to its own responsibilities under paragraph 139 of the Summit Outcome. As any collective measures of interference should be authorized by the Security Council under Article

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[2] "All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations."

41^3 or and 42^4 of the charter, during a GA, or by regional or sub regional arrangements under Article 53^5, with the prior authorization of the Security Council. (Appendix B)

The use of force is considered the last resort because the primary emphasis is placed on preventive measures and non-coercive means of addressing mass atrocities. The principle of last resort is based on the understanding that military intervention carries significant risks and potential human costs, and should therefore only be considered when all peaceful means have been exhausted or are clearly ineffective. Therefore, it is only the UNSC that can authorize such a harsh measure.

Furthermore, the first two pillars, on the responsibility of states to prevent mass atrocities through peaceful means such as diplomacy, mediation, economic sanctions, and humanitarian assistance. These approaches are pursued in order to resolve conflicts, protect civilians, and address the root causes of violence. The use of force is seen as a necessary measure when all other attempts to resolve the situation have failed. The "restriction" of being the last resort, also, ensures that military intervention is not employed prematurely or unnecessarily, as it carries the risk of further loss of life and

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[3] Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression Article 41" "The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations."

[4] Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression Article 42 "Should the Security Council consider that measures provided for in Article 41would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations."

[5] Chapter VIII, Article 53, 1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

potential human rights abuses. By not prioritizing the use of force, the international community is encouraged to use other peaceful means for a sustainable solution and in order to reduce the biased decisions. The principle of last resort reflects the belief that peaceful means, when effectively utilized, have the potential to prevent or resolve conflicts and protect populations.

In addition to being a measure of last resort, pillar three comes with another condition, which is the proportionality. Specifically, the use of force must be proportionate to the harm that it's supposed to halt or prevent. The proportionality principle is derived from the IHL and not unique to the pillar three. Proportionality plays a key role in IHL. It is essential to regulating the conduct of hostilities, requiring that the expected incidental harm is not excessive in relation to the anticipated military advantage[6]

But proportionality plays a greater role than this, appearing in many other provisions of the 1949 Geneva Conventions (GCs) and the 1977 Additional Protocols (APs)[7]. When going into a military intervention, the international community must also take steps to

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[6] Art, 51(5)(b) Among others, the following types of attacks are to be considered as indiscriminate: (b) an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.
Art, 57 (2)(a)(iii) 2. With respect to attacks, the following precautions shall be taken: (a) those who plan or decide upon an attack shall: (iii) refrain from deciding to launch any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated;
[7] Art. 12(5), GC I: The Party to the conflict which is compelled to abandon wounded or sick to the enemy shall, as far as military considerations permit, leave
 with them a part of its medical personnel and material to assist in their care.
Art. 8(3), GC III, IV: The representatives or delegates of the Protecting Powers shall not in any case exceed their mission under the present Convention. They shall, in particular, take account of the imperative necessities of security of the State wherein they carry out their duties.
Art. 48(3), GC III: Mail and parcels addressed to their former camp shall be forwarded to them without delay. The camp commander shall take, in agreement with the prisoners' representative, any measures needed to ensure the transport of the prisoners, community property and of the luggage they are unable to take with them in consequence of restrictions imposed by virtue of the second paragraph of this Article.
Art. 75(3), GC III: In the absence of special agreements, the costs occasioned by the use of such means of transport shall be borne proportionally by the Parties to the conflict whose nationals are benefited thereby.

minimize harm against civilians and ensure that the use of force is not perpetrated as a pretext for pursuing other political or self-interested objectives.

The use of force should be proportional to the threat and necessary to achieve the stated objective of preventing or / and putting an end to the four crimes mentioned in the principle. It should be limited to what is required to protect civilians and bring an end to the mass atrocities. The intervention should be guided by a clear strategy and should not exacerbate the situation or cause further harm.

Beyond the UN, the SC can also allow regional organizations and leagues to intervene in cases of failure by the UNSC to uphold its RtoP "fostering more effective global-regional collaboration is a key plank of the strategy for realizing the promise embodied in the responsibility to protect". In certain circumstances, when the United Nations Security Council (UNSC) is unable or unwilling to take action to prevent or halt mass atrocities, it can authorize regional organizations and regional arrangements to intervene in accordance with Chapter VIII of the UN Charter. This provision aims to foster more effective global-regional cooperation in implementing the Responsibility to Protect and addressing situations where the UNSC's response is blocked by veto-wielding members or other challenges.

Under Chapter VIII, the UNSC can empower regional organizations, such as the LAS, to take action on its behalf in addressing threats to international peace and security. This authorization can include measures such as deploying regional military forces or undertaking peacekeeping operations to protect civilians and prevent mass atrocities.

Regional organizations often have a better understanding of the local dynamics, cultural nuances, and political contexts within their regions. Their involvement can help tailor responses to specific regional challenges and contribute to more contextually

appropriate strategies. From a different angle, the regional organizations can also be blamed for using their political influences, and impose their regional interest on the implementation of the military intervention, such as in Libya. Following the Arab League's endorsement, NATO, with the backing of several Arab states, including Qatar and the United Arab Emirates, launched military operations in Libya. The intervention involved airstrikes targeting Gaddafi's military infrastructure, communication networks, and strategic targets to enforce the no-fly zone and protect civilians. The involvement was not spared of criticism; however, it is important to highlight the role given and played by regional organizations in the use of force.

Analysis of the application of Pillar 3 to the four prohibited crimes showed that the doctrine itself is not suggesting anything new in terms of a legally binding principle. However, it is emphasizing on an already existing one and encouraging the state's accountability. This actually leads to the conclusion that it is not a "new legal norm" but rather a political concept (Koops, 2015). In some cases, it bluntly contradicts the already existing international laws and rules when it comes to interfering militarily in the weakened state's "affairs", even if the intervention is justified by the prerogative of protecting human rights.

During the discussions in the World Summit 2005, the majority of the participating States uttered   the consensual belief that RtoP is not a legally binding principle. Nonetheless, it increases the responsibility of the intervening state and encourages the protection of civilians, in addition to awakening the international community's moral obligation to support the prevention of crimes against humanity. The question then arises whether the RtoP novelty lies in transforming the responsibilities to assist and intervene in legal – or at least political – duties (Glanville, 2012). Therefore, the RtoP could only be a legal norm if it reflected or crystallized an international custom.

Despite the increased conflicts at the international level, and the accusations of grave crimes against humanity, the use of force that has been taking place during "humanitarian intervention" to stop these crimes has not been justified by the RtoP, with very few exceptions. Until 2011, the UNSC had only made reference to paragraphs 138–139 of the 2005 World Summit Outcome, without mentioning the principle itself, in a Chapter VII resolution on the situation in Darfur in 2006 (UNSC, 2006a: preamble; UNSC, 2006b: para. 4; UNSC, 2006c: preamble). Generally, the UNSC had not considered action under Chapter VII of the UN Charter for reasons of gross human rights (Fiott & Koops, 2014).

There have been several interpretations of the third pillar, and many explanations on its operationalization, however there is no clearcut rule or law guiding the moral obligation of the international community to intervene. On the contrary, no amount of effort to provide RtoP interventions with an indisputable ethical basis, can avoid the fact that the use of force still means going to war (Fiott & Koops, 2014). The military intervention is political and polarizing by its very nature.

Michael Walzer (2004) talks about the principle of Just War, describing the moral and ethical framework that governs when it is morally justifiable to go to war, and the subsequent conditions under which war should be conducted. In the context of the RtoP, the principle of just war provides a set of criteria that morally justify the use of force to protect populations from mass atrocities. According to the principle of just war, there are two main categories of criteria: jus ad bellum (justification for going to war) and jus in bello (conduct of war).

Even though the principle talks about unavoidable war, it is basically governed by criteria considering Just War to be the last resort, keeping in mind that the main intention of the use of force must be to protect the affected population and not to pursue

other political and strategic objectives. Of course, proportionality should remain one of the important criteria. The failure of NATO in being proportional in their response in Libya left a heavy doubt within the international community, namely Russia and China, on the relevancy of the use of force in Syria.

Critics of RtoP argue that the principle of just war provides a high bar for the use of force, and that it is often invoked selectively and without due regard for the broader impact of military intervention.

Overall, the use of force under the third pillar of RtoP is a complex and sensitive issue that requires careful consideration and adherence to the principles of international law and the United Nations Charter.

It appears that balancing security with protection under pillar three is a problematic matter that is drawing lots of critics to it. It is essential to ensure that the intervention does not exacerbate the suffering of the civilian population or violate their fundamental rights. As stated by former United Nations Secretary-General Ban Ki-moon, "Military action must be guided by international human rights and humanitarian law, with utmost care taken to protect civilians." Therefore, a legitimate authority is crucial for the use of force, namely the security council of the United Nations. However, the protection of human rights is sacrificed when the UNSC members are themselves in a conflict on the interpretation of the doctrine. The interpretation of the use of force due to the lack of clarity is leading powerful states to justify the intervention or block it according to their international and regional interest. In addition, the military intervention at its core is self-contradictory with regards to the duality between protecting civilians and attacking them. Evidently, the application of Pillar 3 means going to war, and this de facto scenario will always increase the probability of having potential casualties among

civilians. The collateral damage resulting from these interferences has historically proven to be disproportionate.

The use of force under Pillar Three of the Responsibility to Protect framework faces challenges and critiques. Some argue that it allows powerful states to intervene for their own interests under the guise of protecting populations. Others believe that military interventions can lead to unintended consequences like increased civilian casualties or prolonged engagements. Overall, the use of force requires careful consideration of the balance between security concerns and human rights protection. It should only be a last resort after exploring diplomatic, economic, and political options. Any use of force must be authorized by a legitimate authority, guided by international law, and monitored to minimize harm to civilians and ensure accountability. Upholding human rights while addressing security concerns is difficult but crucial, and adherence to the Responsibility to Protect principles can contribute to a more just and secure world.

The wars in Libya and Syria highlight the difficulties and nuances involved in using force in accordance with Pillar Three of the Responsibility to Protect (RtoP). Protecting vulnerable populations from mass atrocities while taking into account the preservation of human rights and the potential effects of military action was a challenging assignment for the international community. Through essential elements and pertinent sources, this discussion examines the use of force in these conflicts and sheds light on its intricacies and effects.

Humanitarian Intervention: The Libya War in 2011, the United Nations Security Council approved a NATO-led military operation with the goal of defending people from Muammar Gaddafi's forces. With the intention of averting a potential massacre in Benghazi, this intervention served as an example of the use of force in accordance with RtoP.

The intervention, according to Ban Ki-moon, demonstrated the variety of tools at hand, from diplomacy to armed action.

Implications and Challenges: Although the intervention aided in the protection of Benghazi's civilian population, it also had unexpected effects. In the wake of it, political unrest, the growth of armed militias, and a protracted conflict developed, all of which have contributed to the ongoing situation in Libya. The difficulties of rebuilding nations after interventions and making the transition to lasting peace shed light on the complexity of utilizing force.

The Conflict escalation in Syria, gave way to a protracted struggle with many different fronts as the government cracked down on dissent and armed opposition groups developed. The question of how best to safeguard civilians' rights while maintaining international law was one that the international community had to make.

The wars in Libya and Syria both caused sizable civilian casualties and forced relocations. Even when used to defend civilians, force can unintentionally damage people. Any military operation must prioritize protecting civilians, which calls for rigorous adherence to international human rights and humanitarian law.

As a result of these conflicts, vital infrastructure, such as hospitals, schools, and basic services, were destroyed. The humanitarian catastrophe is made worse by this destruction, which also makes it difficult to acquire resources that are necessary for post-conflict recovery.

The crises in Libya and Syria serve as excellent examples of the difficulties and drawbacks of deploying force in accordance with Pillar Three of the Responsibility to Protect. While safeguarding vulnerable groups is necessary, it is also important to take into account any potential unintended repercussions and the difficulties that post-

conflict stability and nation-building may present. Prioritizing observance of human rights and humanitarian law while seeking nonviolent options before turning to military intervention, the international community must take a collective and methodical approach. Future activities should be guided by the lessons learnt from previous conflicts, with a focus on the necessity of comprehensive and coordinated strategies to successfully confront mass atrocities.

The conflict in Syria is not just a clash between two opposing factions. It has turned into a complex and drawn-out conflict involving a number of parties, including the Syrian government, armed opposition forces, extremist groups, and other parties. Finding a clear target for military action is difficult because there are numerous armed organizations present, each with diverse goals and allies.

The Syrian war has been characterized by conflicts among major nations and other international actors. Unified action has been hampered by competing interests, strategic considerations, and geopolitical rivalry. A number of the parties involved have received support from other nations and regional entities, which has made the war more complex and made deciding when to use force more difficult.

Potential Escalation and Regional Spill Over: There is a chance that the Syrian crisis will worsen and spread to nearby nations. The possibility of regional destabilization has increased due to the engagement of regional powers and the existence of extremist organizations like ISIS. The complexity of decision-making has been exacerbated by worries about the unforeseen repercussions of military intervention, such as escalating sectarian tensions or starting a larger regional conflict.

Any potential military action is complicated by the humanitarian aspect of the Syrian conflict. The protection of civilians is a top priority, but there are several obstacles to

overcome, including the crowded urban surroundings, the presence of armed organizations among civilian populations, and the possibility of collateral damage. weighing the need to protect civilians against the dangers to their safety.

The political and legal implications of using force in Syria present further challenges. Due to disagreements among its permanent members, the United Nations Security Council lacks an unambiguous mandate for military intervention, which restricts the legal justification for such action. The decision-making process is further complicated by worries about possible state sovereignty violations and the non-intervention principle.

Following any military involvement in Syria, post-conflict stability and reconstruction would face major difficulties. It will be difficult to rebuild the nation's infrastructure, deliver necessary services, resolve sectarian conflicts, and create a stable governmental system. Some actors no longer view military intervention as a practical option due to the difficulties and expenses involved in long-term nation-building attempts.

As a result of the conflict's complexity, international differences, potential for escalation, humanitarian concerns, legal and political limitations, and difficulties with post-conflict stabilization, the use of force in Syria is complicated. These complications have prevented coordinated action and made it challenging to decide on a precise and practical strategy to confront the mass atrocities and safeguard the country's inhabitants.

4.1.2 The Dual Objectives of the Military Intervention

The primary objective of military intervention under pillar three as mentioned in the Responsibility to Protect doctrine is to protect populations from mass atrocities and prevent further human suffering. The intervention is supposed to be justified on

humanitarian grounds, seeking to halt or avert severe and widespread violations of human rights. The underlying principle is to use force as a last resort when peaceful means have been exhausted.

However, the RtoP principle has not been consistently implemented, especially with regards to its third pillar. There have been examples where RtoP pillar three has been invoked, like Kosovo, Libya and Ivory Coast, whereby the military interventions were justified on the ground of the protection of the civilians. There have also been instances where RtoP has not been invoked or acted upon, despite the occurrence of mass atrocities. For example, in the case of Syria, where the government has been accused of using chemical weapons against its own citizens and committing other war crimes, the international community has not taken collective action to protect the population. Similarly, in Myanmar, where the Rohingya Muslim minority has been subjected to persecution and violence, there has been little international action to protect the civilians.

While the humanitarian imperative is the primary driver of military interventions, we must recognize that it can have broader political implications. In some cases, the intervention may contribute to a change in the regime or the political dynamics of a country.

One reason for the inconsistency in the implementation of RtoP is the politics and power dynamics of the international system. Some countries may be more willing to invoke RtoP in situations that align with their strategic interests, while ignoring similar situations in other parts of the world. Interventions can be influenced by political considerations, including the desire to support opposition groups or to remove a particular regime deemed responsible for mass atrocities. In such cases, the intervention may seek to facilitate political transitions or support certain factions within a country.

Additionally, there may be disagreements among states about the appropriate response to a given situation, which can make it difficult to take collective action. The lack of consensus or disagreement among key actors, particularly within the United Nations Security Council (UNSC), can hinder the authorization and legitimacy of the intervention. A divided UNSC, with veto-wielding members withholding support, is resulting in a fragmented or inconsistent international response. The objectives and the scope of humanitarian intervention constitute an additional point of disagreement and disjunction. Some states may advocate for a more limited intervention focused solely on civilian protection, while others may support a broader mandate that includes regime change or political transformation. Such disagreements can lead to inconsistent messaging and varying degrees of commitment among participating states. The most recent example of such fragmentation and its impact is the intervention in Libya in 2011. During the intervention, there were varying views among participating states regarding the goals and desired outcomes of the intervention.

France, the United Kingdom, and certain Arab states, advocated for a broader mandate beyond civilian protection. They supported a more expansive intervention that aimed at regime change and the removal of then-Libyan leader Muammar Gaddafi. These states believed that the intervention should go beyond the immediate protection of civilians and include a more comprehensive approach to address the underlying political situation in Libya.

On the other hand, some states, such as Russia and China, expressed reservations and voiced concerns about the intervention's scope. They emphasized the importance of adhering strictly to the principle of civilian protection and were cautious about any actions that could be perceived as interfering with the internal affairs of a sovereign

state. These states were sceptical about endorsing measures that could potentially lead to regime change or political transformation.

Another reason for the inconsistency in the implementation of RtoP is the lack of a clear and consistent framework for its application. There is a need for greater clarity and agreement among states on the criteria for invoking RtoP and the appropriate response to different types of mass atrocities.

While the concept has gained international recognition, there are ongoing debates and disagreements about its interpretation and practical implementation. This lack of clarity and consensus leads to inconsistencies in how RtoP is understood and applied in different situations. One example highlighting ongoing debates and disagreements about the interpretation and practical implementation of the doctrine is the case of Syria. Since the outbreak of the Syrian conflict in 2011, there have been differing views among states and international actors on the application of RtoP, some states and humanitarian organizations have argued for a robust application of RtoP and advocated for an immediate military intervention that could potentially lead to a regime change. They have called for measures such as imposing a no-fly zone, establishing safe zones, and providing direct military support to opposition groups as a means to protect civilian lives.

Certain states have adopted a more cautious approach and they highlighted the complexities and challenges of the Syrian conflict. More specifically, they have emphasized the need for a negotiated political solution while expressing considerable concerns about the political escalation of violence, external intervention, and unintended consequences. The lack of consensus and clarity on the application of the doctrine in the context of the Syrian conflict has led to challenges in effectively

addressing mass atrocities and protecting civilians, as different actors pursue divergent strategies and priorities.

The RtoP framework itself can be subject to interpretation and ambiguity. The three pillars of RtoP—prevention, protection, and rebuilding—provide a broad framework, but the specific guidelines and mechanisms for implementation are not always well-defined. This ambiguity leads to differing understandings and varying approaches among states and international actors.

It is also important to highlight that the selective application of the principle, and the political considerations has its impact of the inconsistent application. States may be more inclined to invoke RtoP and support interventions in situations that align with their political interests or strategic priorities. This selective application undermines the universality and consistency of RtoP.

There are ongoing debates about the threshold for intervention and the triggers that warrant invoking the military intervention. Determining when a situation crosses the threshold of mass atrocities and justifies international intervention is a complex and subjective process.

Overall, the inconsistency in the implementation of RtoP highlights the challenges of translating a principle into effective action. While RtoP has the potential to prevent and respond to mass atrocities, its successful implementation will require greater consistency, clarity, and political will from the international community.

As mentioned, and considering its exceptional utilization, the use of force can only be authorized by the UNSC P5 members who are not in isolation of the political influence and the consideration of their internal and international politics. The potential of the polarization is high, and it amplifies with pillar 3. It is always a very thin line easy to

cross between the intention of the intervention to stop the violations and to overthrow the regime.

The NATO interventions in both Kosovo and Libya have shaped and redirected the debate of the use of force in responding to human rights atrocities. Both interventions were accused of not being proportionate, and that NATO did not stop the intervention until the change of the regime. Despite the restrictions of the use of force and the UNSC authorization, the use of force through an intervention is still perceived as a means for the facilitation of political interference and the imposition of a change in power's dynamics. Pillar 3 authorizes the use of force, the implementation of which means going to war, and potentially heightening the inclination toward a forceful regime change.

Overall, supporters of the military intervention in Libya justified the regime change on the grounds of protecting civilians, humanitarian intervention, regional stability, and democracy promotion. Critics, however, argued that the intervention had unintended consequences, including civilian casualties and the destabilization of the region, and that the intervention was driven by strategic and economic interests rather than genuine humanitarian concerns.

Professor Bellamy wrote "The relationship between RtoP and regime change has long been an uncomfortable one. The principal objections to the 2001 report of the International Commission on Intervention and State Sovereignty which coined the phrase *Responsibility to Protect* came from states and commentators worries about the widened potential for abuse that may accompany any relaxing of the general prohibition on force contained in Article 2(4) of the charter." (Bellamy, 2014).

Proponents of the RtoP, argue that in certain situations where mass atrocities are being committed by a regime, the responsibility to protect may necessitate actions that lead to changes in the government or political system. They emphasize that regime change can be a byproduct of fulfilling the responsibility to protect, but it should not be the primary objective.

Regarding its goals and results, military action under Pillar Three of the Responsibility to Protect concept has caused controversy. This paper examines the complex character of this argument, focusing on the conflict between regime change and protection.

Third RtoP pillar: Population Protection

The third pillar highlights the obligation of the international community to safeguard people from mass atrocities. When all other options have failed, military intervention is the last option and needs to be approved by a legitimate government.

The main goal of military intervention is protection. Military intervention, according to proponents, should be used primarily to shield vulnerable groups from large-scale atrocities. They contend that intervention is required to put an end to violence, protect people, and stop violations of human rights.

Critics express fear that military involvement may have unexpected consequences that go beyond the purpose of security, such as regime change. They contend that geopolitically motivated interventions might use humanitarian justification for political benefit.

The Libyan Intervention juggled in between the regime change and the protection. The debate uses the 2011 intervention in Libya as a case example. The action, which was first intended to protect people, brought in a new government. Critics claim that it went above what was expected of it, escalating the conflict and creating instability. Syria's

protracted conflict is a prime example of the difficulties in striking a balance between regime change and protection. Due to divergent viewpoints on the conflict's objectives and its complexity, international reactions vary. Striking a balance between regime transition and protection is difficult when you take into account conflict nuances, geopolitical considerations, and unforeseen repercussions. Clear objectives, thorough planning, and effective strategies are necessary.

The role of international law: International law informs the discussion and directs military action, balancing non-intervention with the duty to defend. The debate is complicated by varying interpretations and political manipulation of legal arguments.

Lessons Learned and the Way Forward: The discussion calls for a sophisticated strategy that draws on the knowledge gained from earlier initiatives. It is important to stress comprehensive post-conflict plans, stakeholder collaboration, and long-term effects.

Pillar Three military intervention requires a nuanced relationship between planned regime change and protection. Protection is the main goal, but as a result, there may be a regime shift.

Geographical and political factors: Results are influenced by variables including geopolitical interests and conflict dynamics.

The Syria dilemma perfectly encapsulates the challenges encountered when trying to strike a careful balance between regime change and protection in the context of military intervention. Widespread human rights abuses have occurred during the protracted crisis in Syria, which started in 2011. These abuses include the use of chemical weapons, the targeting of civilians, and huge population displacement. With different opinions on the proper goals and effects of military involvement, the international community has disagreed on how to react.

Civilian Protection: The urgent necessity to shield civilians from the extensive crimes committed by Bashar al-Assad's government is one of the primary justifications for military action in Syria. Advocates contend that the ruthless suppression of peaceful rallies by the Syrian government and following actions against opposition groups require international intervention.

Administration Change: There have been loud calls for a change of government in Syria, with some believing that any military action should try to topple the Assad administration. The Assad administration is criticized for its part in the increase in violence and violations of human rights. They argue that intervention should target the authoritarian regime accountable for the atrocities in addition to protecting people.

Complex Dynamics: There are numerous domestic and foreign actors with competing interests, making the situation in Syria extremely complex. Any military engagement is made more complex by the involvement of multiple opposition groups, extremist organizations, regional powers, and foreign partners. It is difficult to identify a precise target for intervention and ascertain the best course of action because of the complexity of the conflict.

International Divisions: The response of the international community to the Syria dilemma has been fragmented, preventing coordinated action. Divergent stances have been taken by many nations, frequently in line with their own geopolitical objectives. Conflicting evaluations of the parties engaged and disagreements over the goals and outcomes of military intervention have complicated the decision-making process and prevented coordinated action.

Humanitarian Concerns: While the protection of civilians is a key justification for intervention, detractors warn against the possible humanitarian repercussions of

military action. Concerns of unintentionally killing the very people that military action is meant to protect are raised by Syria's crowded urban surroundings, the presence of armed groups amid civilian populations, and the possibility of collateral damage.

Post-Conflict Stabilization: The difficulty of post-conflict stabilization and reconstruction is another facet of the Syria issue. The eventual transition to a stable and inclusive political order would need substantial planning, resources, and international assistance if military intervention were to result in regime change. Some actors have refrained from supporting direct military involvement in an effort to overthrow the government due to the difficulties and expenses involved in nation-building initiatives.

The Syria dilemma has highlighted the demand for a thorough and careful strategy for military involvement. Past interventions, like the one in Libya, have taught us the value of taking into account both the difficulties of post-conflict stabilization and the long-term effects of regime change.

Seeking Political Solutions: The need for political solutions to end the conflict in Syria is becoming more widely acknowledged amid the problems with protection and regime change. As potential avenues for resolution, diplomatic efforts, negotiations, and open discussion have gained significance. Military intervention may be viewed as a tool in the toolbox, but initiatives to promote political transition and reconciliation have gained popularity as a way to address the conflict's fundamental causes.

In the context of the Responsibility to Protect (RtoP), there is a complicated relationship between military intervention and regime change. The protection of civilians can be the main goal of military intervention, but there is also a chance that it will have unforeseen repercussions, such as regime change. The relationship between military intervention

and regime change is influenced by a number of variables, such as the intervention's precise goals, the nature of the conflict, and the conduct of the intervening parties.

The main goal should be protection: The main objective of military action under the RtoP paradigm is to safeguard vulnerable communities against mass crimes. The goal is to stop or prevent war crimes, crimes against humanity, and ethnic cleansing.

When involvement is permitted by a legitimate body, like the UN Security Council, the goal is to use force to protect civilians' safety and welfare.

Unforeseen Consequences: Sometimes, military action pursued with the intention of protection can have the unforeseen effect of regime change. A weakening of the targeted regime, the emergence of power vacuums, or a change in the balance of power as a result of the intervention could result in the overthrow or instability of the current government. Such unforeseen consequences may be caused by elements like the conflict's internal dynamics, the acts of armed factions, or the involvement of outside parties.

Various players in the international community can take a different track when it comes to the possibility of regime change by military interventions. Regime change should be an explicit goal, some proponents contend, especially when the targeted regime is accountable for massive atrocities. They think that overthrowing repressive governments can result in a more stable and diverse democratic system. Others, on the other hand, advise against trying to oust a dictatorship through military intervention, highlighting the necessity to prioritize safety as well as the possible dangers and difficulties involved in stability and nation-building following such intervention. The complex dynamics of the conflict in question have an impact on the relationship between military intervention and regime transition. The degree of domestic support

for the targeted regime, the presence of opposition groups, regional and global power dynamics, and the nature of the war are just a few of the variables that come into play. If the targeted regime is weak internally or has strong opposition, military intervention may accidentally aid in regime change in some situations.

The relationship between military intervention and regime transition is also influenced by legal and political restrictions. The international law-enshrined principles of non-intervention and respect for state sovereignty call for serious evaluation of the justification and legitimacy of armed actions. The scope and goals of the intervention are influenced by the mandate and authorization given by the international community, such as through UN Security Council resolutions.

Although the primary goal of military intervention under the RtoP paradigm is to safeguard civilians, a correlation with regime change may nonetheless occur unintentionally. The likelihood of a regime transition is influenced by the nature of the conflict, the goals of intervening actors, and the behavior of all parties. A detailed analysis of the intricacies, potential risks, and long-term repercussions is necessary to strike a balance between regime transition and protection, highlighting the significance of comprehensive policies and post-conflict stabilization initiatives. The connection between military intervention in accordance with RtoP's Third Pillar and regime change has been extensively discussed by academics.

Many academics point out that military actions intended to defend populations have the potential to have unexpected consequences, including regime change. They contend that even when the main goal is defense, using force can change the course of a conflict and perhaps result in the overthrow or instability of the targeted regime. These unintended consequences can intensify violence, leave power vacuums, and make it harder to stabilize the situation after the intervention.

Furthermore, it is important to highlight the significance of strategic interests in determining how military intervention and regime transition are related. Strong states may take advantage of humanitarian arguments for military action in order to attain more general geopolitical goals, such as regime change. These initiatives may be motivated by factors like resource access, regional sway, or general security reasons, which frequently raises doubts about the underlying purposes of military interventions.

4.2 Practical Challenges of the RtoP: Pillar Three

4.2.1 The Impact of the Veto Power on the Operationalization of the RtoP

The five permanent members of the UNSC often have disagreements on various issues related to international peace and security. Syria is no exception, and actually it even flagged the uncommon interests in between them." What is more, the individual opinions of the P5 are anything but aligned, especially with regard to the third pillar of the RtoP. The United States has been very reluctant to accept any legal obligation arising from the RtoP (Reinold, 2013). Russia and China insist on a narrow interpretation of the RtoP contrary to the United Kingdom, France and the United States since the coming into power of the Obama administration (Contarino et al., 2012)" (Fiott & Koops, 2014).

The division over how to address the conflict in Syria has been translated by the several vetoes of China and Russia inside the security council. The two members of the eastern bloc are fearing regime change in Syria through the use of force. In addition to the regime change, both countries have their geopolitical interest in keeping the Assad

regime in charge, as their historical ally in the region. While the United States, France, and the United Kingdom have called for the removal of Syrian President Bashar al-Assad, Russia and China have opposed any actions that could lead to his overthrow. Russia and China have argued that it is up to the Syrian people to decide the future of their government and that external intervention could lead to destabilization and chaos.

According to the two objecting countries, the military intervention can escalate the violence, and lead to even more civilian victims, therefore, the use of force won't be meeting its protection purpose. Despite their vetoes, both China and Russia have expressed concern for the humanitarian situation in Syria, however they have opposed military intervention as a means to address it, instead, they have called for a political solution to the conflict and for greater humanitarian aid to be provided to those affected by the conflict.

The United States, France, and the United Kingdom have imposed economic and diplomatic sanctions on Syria to pressure the government to end the conflict and comply with international law. Russia and China have opposed these sanctions, arguing that they are ineffective and could cause more harm than help.

A further problem in the military intervention decision is that the UNSC often cannot remain actively involved in guiding the implementation of an action once authorization has been granted. At that stage the initiative and control pass to the implementing bodies. The experience of Libya caused a major backlash in the implementation of the third pillar of the RtoP through prior Security Council authorization, whereas it has further contributed to its politicization along familiar lines within the United Nations (Fiott & Koops, 2014).

Both Russia and China continue to adhere to a restrictionist view of the UN Charter, which sees sovereignty as ranking higher than human rights. In terms of the enlargement of the scope of what constitutes a threat to IPS, China has tended to resist this trend more than Russia. Russia has made it clear that any intervention in response to threats of an internal nature must be authorized by the UNSC and that the interpretation of such "threats" must not go beyond the framework set out in Chapter VII of the Charter. Moreover, such a threat should be a "soft" rather than a "hard" threat: environmental degradation, infectious diseases, starvation and so on. The inconsistency of UNSC reaction to various crises since the end of the Cold War, termed "selective security", has tended to highlight the role of national interests rather than humanitarian need. There is uncertainty regarding the relative prominence in the UN Charter of the purposes and principles and which take priority: human rights and self-determination or the need to preserve sovereignty and territorial integrity highlights the dilemma (Fiott, & Koops, 2014).

Neither Russia nor China has tended to see human rights violations as sufficient basis to intervene in a state without consent. However, as mentioned, Russia strongly supported the establishment of the UN Peacebuilding Commission at the 2005 Summit.

The veto of China does not necessarily reflect the rejection of the doctrine. China accepts the RtoP because of its diplomatic commitments at the United Nations, but at the same time its interest of influencing the international political scene. However, the objection comes from the way China sees the principle of non-intervention, which is derived from traditional notions of sovereignty, and which still holds an important position in China's diplomatic discourse. This profoundly influences the policymaking community's thinking and understanding toward the RtoP.

China is also concerned that the RtoP will turn into an excuse that is taken advantage of by domestic separatist movements in Xinjiang or Xizang to gain international support. In addition, China holds a certain ambivalence toward balancing its domestic economic interests with the proliferation of international norm values. So, the traditional strategic culture of the Asian giant is characterized by prudence in warfare and emphasizes the legitimacy of war. For China, this hinders the possibility of utilizing coercive means to reach political aims (Fiott & Koops, 2014).

For China, the United Nations is no longer a forum for safeguarding sovereign interests, but it is a platform to demonstrate its rising power profile and to exert its international influence. The Veto power of China and Russia gives them significant leverage in international diplomacy and allows them to block actions that they oppose.

In the case of Syria, the veto decision was seen as consistent with China's diplomatic stance of non-intervention and respect for sovereignty. Furthermore, China believes that the conflict in Syria should be resolved through political means. It has called for a negotiated settlement between the Syrian government and opposition groups, and has supported diplomatic efforts to end the conflict.

Considering the economic interest of China in the Middle East, it is not to its advantage to increase the violence and have Syria disturbed by a leadership change, as it affects the regional stability. It has expressed its support for the territorial integrity and sovereignty of Syria and has called for all parties to respect international law.

Syria has significant reserves of oil and natural gas, and China has been interested in gaining access to these resources. China National Petroleum Corporation (CNPC) signed a deal with the Syrian government in 2012 to develop Syria's largest oil field, and China has been importing crude oil from Syria for several years. Therefore, it

doesn't come as a surprise that China is also offering the reconstruction of Syria. Chinese companies have been involved in projects such as building power plants and infrastructure, and China has offered to provide financing and technical assistance for post-war reconstruction. China has been involved in the construction of the Syrian International Islamic Bank headquarters in Damascus, and has expressed its interest in investing in the country's telecommunications sector.

Syria is a potential market for Chinese goods and services, and has been exploring investment opportunities in the region, even beyond Syria. In 2019, China and Syria signed several economic and trade agreements, including a memorandum of understanding to establish a joint economic and trade committee.

So, China has accepted the RtoP principle despite its traditional doctrine of non-intervention and its "Five Principles of Peaceful Coexistence". The five principles have been agreed upon with the Indian government since 1953, as they refer to mutual respect for each other's territorial integrity and sovereignty, mutual nonaggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence. At the same time, China remains persistently cautious about the non-consensual use of force and is reticent about applying sanctions, particularly when these measures are not fully backed by relevant international and regional organizations. These ambivalent attitude and behaviour relate to China.

As the Libya crisis highlighted, even though the United Nations authorized the intervention by "all necessary means", China still expressed its reservations about Resolution 1973. The ambiguity related to the language of UNSC Resolutions is seen by China as a sort of "Trojan Horse", whereby the implementation of Resolutions could be used to change domestic realities.

The loose language in the resolution related to the use of force can be misused or misinterpreted as it gives a wide range of behaviour that the UNSC can't control. "In other words, loose language in UNSC Resolutions can be taken as an excuse for international support for domestic separatist movements. The issue of ambiguous language in UNSC Resolutions may cause China to be more cautious in Security Council deliberations in future." (Fiott & Koops, 2014).

Chinese diplomacy has been in a dilemma about how to keep the balance between its tradition of non-intervention and its responsibilities as a rising great power. Sovereignty and territorial integrity are still the most practical and ultimate concern to Beijing. It is well known that the traditional view of state sovereignty and non-interference will continue to be the most important concern for Chinese policymakers.

As for Russia, the veto does not come as a surprise either. Russia has been a main supporter to the Syrian government, and a faithful ally. Russia believes that military intervention in Syria would violate the sovereignty of the country and could lead to further instability and violence in the region. It also believes that a political solution is the best way to end the conflict in Syria, and that negotiations between the Syrian government and opposition groups should be the focus of international efforts.

Same as China, there are geopolitical interests for Russia in the region, beyond Syria, and any change in the Syrian political scene might have an impact on Russia's agenda in the Middle East. Syria has been a long-term ally of Russia and is home to Russia's only military base in the Middle East, which is located in the port city of Tartus. If the Assad regime falls, Russia would have to rework its diplomatic efforts to regain, if at all possible, its presence in the Mediterranean Sea.

President Putin is considered as a winner in the Syria conflict, by blocking the western intervention, and by being the main supporter of the Assad regime. He presents himself as a strong leader and defender of Russia's interests abroad. Putin's support for Assad has also been popular among the Russian public, who see it as a way of countering Western interference in the region. In addition, Russia promotes fighting terrorism in the region, by supporting Assad regime in his fight against ISIS and Al Nusra.

The fall of the Syrian regime can have serious implications on the strategic interests of Russia in the region. The Russian support to Syria is counterbalancing the US influence in the middle east. So Russia is challenging the US interest in the region through its strong alliance with Syria.

Same as China, Russia sees the conflict in Syria as a threat to regional stability and believes that it is important to prevent the country from falling into chaos. It has advocated for a political solution to the conflict and has been involved in diplomatic efforts to end the fighting.

In addition to the political interests, Russia has economic oil and gas deals with the Syrian government. In 2013, for instance, Russia signed a deal to explore the Syrian coast for any possible natural reserves of oil and gas that can be extracted and profitably exploited.

Russia might be seen as taking a pluralist approach to international politics; Russia charges that there is a high level of selectivity in humanitarian interventions, and that the Western notion of intervention to enforce respect for human rights is an example of the unfairness of the current world order – that this type of intervention is simply the West's new "standard of civilization". Russia also sees the West as using double standards. This accusation was made by Yeltsin after the intervention in Kosovo

(Yeltsin, 2000) and has been used routinely by Putin to justify his anti-Western agenda which has become a key component of legitimation for his rule.

In the latest version of Russia's Foreign Policy Concept drafted in 2013, it is pointed out that "[s]ome concepts that are being implemented are aimed at overthrowing legitimate authorities in sovereign states under the pretext of protecting civilian population". The same document suggests that "it is unacceptable that military interventions and other forms of interference from without which undermine the foundations of international law based on the principle of sovereign equality of states, be carried out on the pretext of implementing the concept of 'responsibility to protect'" (Concept of the Foreign Policy of the Russian Federation, 2013).

4.2.2 Pillar 3 Implementation Challenges and Drives in Syria

The implementation of the Responsibility to Protect in the context of Syria has been a subject of extensive debate and contention among states and international actors. The Syrian conflict, which began in 2011, has resulted in widespread human rights abuses, civilian casualties, and displacement. While RtoP calls for timely and decisive action to protect populations from mass atrocities, the international response to the Syrian conflict has been marked by challenges, disagreements, and limited consensus on how to effectively implement RtoP principles.

Patrick Stewart, a leading American commentator based at the Council on Foreign Relations argued that the UN Security Council's failure to reach a consensus on Syria had put RtoP itself in a "major crisis" (Bellamy, 2014). The NATO intervention in Libya and their pursuit to change the regime created a great reluctance and fear from any future resolution under RtoP evoking Pillar 3.

What supposedly started as a people's revolution created a fertile ground for the growth of non-state armed groups, who became essential actors in the bloody war, including regional terrorist groups such as ISIS and ANF. The war expanded to many regions in the vast land of Syria; and considering its geopolitical value, the Syria war attracted a significantly heavy international and regional attention. With the complexity of the conflict, there is no clear frontline of the war, and there is a significant number of non-state armed groups participating. After 13 years of the conflict, the alliances seem clearer, Russia and Iran have backed the Syrian government. At the same time, the "opposition" has been supported by Turkey, several Western powers and some Gulf Arab states (Shelter Box, 2023). As for the humanitarian cost of the war, according to OCHA the country still has the largest number of IDPs in the world: 6.8 million people, and the highest number of people in need since the beginning of the crisis. In 2023, 15.3 million people will require humanitarian assistance, including 2.1 million IDPs living in last-resort IDP sites (OCHA, 2023). According to the UNHCR, 6.6 million Syrian refugees are spread around the world, out of them 5.8 m in the neighbouring countries (UNHCR, 2023).

In 2011, the UN was proactive in reporting human rights violations in Syria, more specifically, in July 2011, UN Special Advisers on the Prevention of Genocide and on the Responsibility to Protect issued a joint press release claiming 'a serious possibility that crimes against humanity may have been committed and continue to be committed in Syria'. In August of the same year, the same accusation was described by then-UN High Commissioner for Human Rights Navi Pillay. Subsequently, an Independent International Commission of Inquiry on Syria was established by the HRC with the objective of investigating the allegations of violence. The commission has affirmed that the Syrian regime committed, among others, crimes against humanity; but also, there

were mass atrocity crimes committed by non-state armed groups, most particularly by UN-sanctioned and proscribed groups such as the so-called Islamic State and Al-Nusra Front.

Despite the aggravated humanitarian situation and the report of the commission, the RtoP – and namely pillar 3 – hasn't been invoked, basically due to the paralysis of the UNSC resolutions by Russia and China. The US had a limited military intervention in September 2014, mainly to respond to the threats caused by ISIS and the ANF. This blocked situation invites us to question the real intentions behind the RtoP activation in Syria: who is responsible for the RtoP? when? and where? There is an obvious influence of international and regional political relations on the approval of such an intervention, even when international commissions have brought evidence on the violations. In comparison to Libya, the situation in Syria is not less grave, however the "failure" of NATO in Libya in the eyes of some states created a reluctance when it comes to any action related to Syria.

Despite some limited efforts, such as the establishment of safe zones and the delivery of humanitarian aid, the international community has been unable to find a solution to the Syrian conflict that fully reflects the principles of RtoP. The UNSC internal conflict and lack of consistency in maintaining international peace and security showed us the conflict of interest and the lack of clear rules that hinder the enforcement of the doctrine.

Until 2020, 12 vetoes were exercised by P5 states (China, Russia) and non-permanent member states at the UNSC (Nahlawi, 2021). The vetoes were not only related to military interventions, but they were also associated with the use of chemical weapons, humanitarian access, accountability, general measures, etc…. However, the fear is around the use of force under pillar 3, and the enforcement of regime change. Most of the international community, including those who used their veto right, did not object

to the enforcement of the two other pillars; and mainly pillar 1, which accentuates the responsibility of the state to protect its own population from mass atrocity crimes. While the mobilization of the diplomatic efforts did not stop, both China and Russia emphasized the respect of the host state's sovereignty. They insist that protection lies first and foremost within the host state, therefore any discussion around international intervention to protect civilians is mainly rejected.

The United Nations and other international actors have engaged in diplomatic efforts to find a solution to the conflict. This has included attempts to broker ceasefires, facilitate negotiations, and establish peace processes. However, these efforts have faced significant challenges due to ongoing hostilities, political divisions, and the complex nature of the conflict.

The conflict has been characterized by deep political divisions both domestically and internationally. Internationally, divergent political interests, alliances, and differing perspectives on the conflict have hindered the development of a unified and cohesive response. The lack of consensus among states, particularly within the United Nations Security Council, has impeded the effective implementation of RtoP.

It is important to mention the complexity of the conflict, which is a multi-faceted conflict involving numerous parties with varying objectives and strategies. It includes the Syrian government, opposition groups, extremist factions, and regional and international actors. The fluidity of alliances, shifting dynamics, and the presence of multiple armed groups have made it difficult to identify clear lines of responsibility and establish effective protection measures.

Negotiating and discussing with the different armed groups has been a significant challenge, not only for the diplomatic circle, but also for the humanitarian

organizations. Each armed group has its own agendas and interests, which is posing challenges in engaging with these actors to implement the RtoP principles, beyond the military intervention. The fragmented nature of the conflict and the absence of a unified command structure make it difficult to ensure compliance with international humanitarian law and hold accountable those responsible for human rights abuses and atrocities.

International actors, including regional powers, have further complicated the conflict and hindered the implementation of effective protection measures. The interests, interventions, and competing strategies of these external actors have contributed to the fragmentation of the conflict and impeded efforts to find a peaceful resolution.

The international response to the Syrian conflict has seen limited military interventions. While some states and regional actors have provided military support to opposition groups, airstrikes against specific targets, or training and assistance to certain factions, these interventions have been selective and have not involved broad-based international military operations.

The deep divisions among states and international actors regarding the appropriate response and the use of military force, has been clearly exposed in Syria. Disagreements over the role of external actors, concerns about unintended consequences, and divergent strategic interests have hindered the development of a cohesive and unified international approach to the conflict.

At the level of the UNSC, even the non-permanent members who used their veto to block pillar 3 in Syria affirmed their commitment to pillar 1 and stressed upon the state's responsibility towards its local population. Considering the complexity of the conflict in Syria and the involvement of several non-state armed groups, such a

statement from the international community does not necessarily play against the Syrian government. Actually, it reinforces the role of the official government towards its population and holds the government responsible for stopping the crimes committed by the other armed groups involved.

Furthermore, there are several actors involved and accused of committing crimes against humanity in Syria, namely the NSAs, which is raising the question of whether RtoP is applicable on them, so the international community's responsibility would also be applicable on such groups when they commit genocide, war crimes, crimes against humanity, or ethnic cleansing. It is an essential question because same as in Libya, many of the crimes committed against the population are executed by the NSAs, and it is unfortunately increasing at the global level. This being said, RtoP remains largely State-centric. The role of the NSAs hasn't been addressed in the 2005 World Summit Outcome document. The Global Network of Responsibility to Protect Focal Points, in a 2015 meeting of over 50 States, conceded that 'conceptual gaps remain in our collective understanding of how RtoP relates to NSAs and of how to respond effectively to the atrocities they perpetrate'. As Nahlawi (2021), a PhD researcher on the RtoP in Syria, describes in her book, there is a gap in the delineation of precise legal regimes applicable to NSAs, and, indeed, in the existence of legal tools to invoke these groups' international legal responsibility or to otherwise hold them to account for their commission of international crimes.

The RtoP doctrine frames the protection through the sovereign state, which is also anchored in the international law, and in pillar 1. However, the discussion to be raised on the matter is about the responsibility of the state itself to stop such atrocities committed by armed groups on its own sovereign territory. It falls under the state responsibility to ensure the protection of its own population regardless of the aggressor.

When it comes to Libya NATO was very quick in responding, preventing additional aggravation of the humanitarian situation. Contrarily, the intervention in Syria dragged significantly although the humanitarian situation was not any better from what it was in Libya. This controversy indicates a deep conflict within and between the powerful states. NATO's pursuit of a regime change in Libya made certain States, most notably Russia and China as two P5 member-States, cautious of authorizing any action in connection with RtoP that could potentially lead to military intervention and to regime change in Syria (Nahlawi, 2021). The right to veto, somehow paralyzed the international community from dealing with the Syrian situation under the RtoP, bringing to the surface some of the doctrine's compelling weaknesses such as the dependency of the permanent vetoes. The right to veto stipulated within Article 27(3)[8] of the UN Charter is not subject to any relevant limitations, implying that it can be employed by the P5 without restraint. With that said, the veto implies massive implications and holds substantial power, keeping in mind that any decision made at the UNSC is influenced by the member's state international politics and domestic power.

Speaking about power dynamics, at the P5 level, one should not undermine the power of the regional organization in similar situations, admittedly the LAS. Revisiting the decision to intervene in Libya, it was indeed the result of a joint position adopted by the LAS and the UNSC. As described by Aidan Hiher (2014), the Libyan situation, in his analysis on Syria (Syrian dawn and new era) he says "at its most fundamental, the response to Libya was a function of regional geopolitics and framed by an era where

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[8] UN Charter 27(3) Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting."

the US's capacity and willingness to project power overseas is greatly diminished, and the power of Russia and China is greatly increased. While in Libya the US's reluctance and diminished inability to use force was mitigated by France and the UK's determination, the position of both the Arab League and the African Union, and the Russian and Chinese (at least initial) acquiescence, this perfect storm was absent in the case of Syria and, thus, the result was markedly different."

The Arab League interest goes beyond security, it has a clear ambition in terms of setting high stakes at the international level with respect to diplomacy, economy and financial power. For instance, the Arab league did not interfere in the oppressions of the demonstrators in Bahrain. Saudi Arabia in particular is leading a coalition war in Yemen and supporting an opposition government. The kingdom played a leading role when calling for the intervention in Libya, sending troops into Bahrain to crush the protestors, and financing the opposition in Syria.

Furthermore, the KSA unprecedented decision to reject a seat at the Security Council also points to a more assertive foreign policy, as well, of course, as constituting a sobering dismissal of the UN's international standing. Indeed, the UN has much to worry about; throughout the crisis in Syria, the UN Secretary General has appeared as little more than a desperate spectator who has, at times, degraded the UN itself by virtue of his being routinely ignored when pleading with states to take action to stop the atrocities. In August 2012, the General Assembly formally condemned the Security Council for its response to the crises, graphically highlighting the UN's inability to forge consensus, while the inability of Kofi Annan and, later, Lakhdar Brahimi to lead the peace process demonstrated the perennial spectrum of Great Power influence outweighing the UN's power. The crisis in Syria has also, of course, been shaped by a number of other emerging powers, including Turkey, Iran, and South Africa, while

Brazil's "Responsibility While Protecting," published in the wake of the Libyan intervention, evidenced a new assertiveness on the part of this emerging power and the end of the West's monopoly on human rights' orientated initiatives (Hehir, 2014).

Libya, before Syria re-opened the discussions around the sharp end of the RtoP, and the harsh measures taken under its umbrella. Even though many argued that tough measures were necessary to stop massacres in Benghazi, there were many critics arising from different countries who accused NATO of a hidden purpose of throwing away Ghaddafi. Harsh actions come with high risks, and there was no possible way of intervening military and keeping the same regime ruling the country. As Libya opened the contraction wounds, most of the countries especially the BRICS[9] were very reluctant from authorizing any use of power in Syria.

In comparison with Libya, the "why not" in Syria was clear: the politics in the country and at the United Nations were totally different—demonstrated by several actual or threatened double vetoes from Russian and China—as well as the geography and the demography; the military challenge was far tougher; and the potential costs by 2013 appeared to outweigh the benefits of coercion. In addition to the politics in the Security Council, Syria also confounded easy generalizations—with insurgent atrocities gradually replicating the regime's—and was distinctly more complicated, chaotic, and confused than Libya.

The United Nations Security Council's (UNSC) vetoes of resolutions pertaining to Syria show the intricate geopolitical dynamics and conflicting interests of the veto-holding powers. Although it is difficult to pinpoint the precise motivations behind the vetoes, analysts and researchers have highlighted a number of factors:

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[9] Brazil, Russia, India, and China are among the world's ten largest countries by population, area, and GDP, and the latter three are widely considered to be current or emerging superpowers.

- Strategic Interests: The veto-holding states' strategic interests play a significant role in determining whether resolutions are vetoed. Russia has long-standing political, military, and commercial relations with the Assad government in Syria. It has worked to maintain its power and military presence in the area because it sees Syria as a crucial ally. Russia's veto has been motivated by its geopolitical objective of defending its interests and keeping its place as a major player in the world.

- Regional Influence: The ambition of veto-holding states to maintain or increase their regional influence is another element at play. Iran has been a major ally of the Assad regime in the case of Syria. It views Syria as an essential route for projecting power in the Middle East and as a key link in its network of regional alliances. When it comes to opposing measures that would potentially weaken or topple the Assad government, Iran has closely aligned its interests with those of Russia.

- Resistance to Regime Change: The vetoes on resolutions pertaining to Syria can also be interpreted as a sign of the veto-holding governments' resistance to regime change. Russia and China, who have veto power in the UNSC, have frequently voiced their opposition to outside military actions that aim to topple governments. They have underlined the value of state sovereignty and non-intervention while expressing concern over the possible effects of intervention and its broader implications for world order.

- Geopolitical Rivalries: With the involvement of numerous regional and international powers, the Syria crisis has evolved into a proxy conflict zone for geopolitical rivalries. The vetoes are a reflection of the larger geopolitical conflicts between Russia and the West, especially the United States. The

dynamics of the UNSC are shaped by these rivalries, making it difficult to achieve consensus and common ground on resolutions pertaining to Syria.

- Concerns about unforeseen repercussions: States that have the power to veto resolutions, like Russia and China, have voiced concerns about possible unforeseen repercussions. They contend that prior actions in the area, such as NATO's 2011 involvement in Libya, have exacerbated violence and caused instability. Their choice to veto resolutions is motivated by these worries about unforeseen repercussions and the possibility of regime change.

- Diplomatic Leverage: The veto can also be used as a tactic for gaining influence abroad and defending national interests. States with veto power may use it as a negotiating chip to influence the wording and content of resolutions or to retain some measure of control over the diplomatic process. They can express their influence and safeguard their interests in the discussion and settlement of the Syria conflict by strategically using the veto.

It is crucial to recognize that these variables are linked and complex, and that they likely work in concert to explain why some resolutions were vetoed. The veto-wielding governments' opinions on Syria-related resolutions at the UNSC have been influenced by the intricate geopolitical dynamics, strategic considerations, regional interests, and worries about unforeseen effects. Certain countries' positions on military operations and resolutions pertaining to regime change, notably their vetoes of resolutions pertaining to Syria, are significantly influenced by opposition to regime change. This resistance is caused by a number of factors, which are further discussed as follows:

- Non-Interference and Sovereignty: The values of non-interference and respect for state sovereignty are at the core of opposition to regime change. States opposed to regime change make the case that it is not the responsibility of

outside parties to choose a sovereign state's government or political system. They stress that rather than being imposed from outside, decisions about regime change should be made by the people of that country through domestic methods.

- Fear of Destabilization: Those who oppose regime change frequently raise concerns about the possibility for destabilization should a government be overthrown. They contend that overthrowing a government without having a strategy in place for post-conflict stabilization and governance can result in power vacuums, factionalism, and protracted conflicts.

- People typically use Iraq and Libya as cautionary examples because both countries' government changes caused major instability.

- Precedent and Selectivity: Opponents of regime change draw attention to the selective nature of this principle's application, arguing that interventions are frequently motivated by political goals and strategic considerations rather than by a consistent adherence to humanitarian values. They contend that when it serves their interests, powerful powers frequently favor regime change while ignoring comparable circumstances elsewhere. This apparent contradiction prompts worries about the degrading of international standards and the possibility of exploitation of the notion of regime change.

- Unintended Consequences: Those who oppose regime change draw attention to the possible negative effects of involvement. They contend that overthrowing a dictatorship forcibly can result in power struggles, violence, and the escalation of already-existing problems. Additionally, a change in the regime may cause population migration, escalating humanitarian problems, and enduring instability.

- Lack of Legitimacy and Legality: Critics of regime change frequently raise the issues of legitimacy and legality when it comes to outside parties making an arbitrary decision to overthrow a government. They contend that actions lacking the required legitimacy to support them cannot be justified by international organizations like the United Nations Security Council. Concerns about the breach of international law and the deterioration of democratic values are further fuelled by the lack of a legitimate and widely accepted framework for regime transition.

- Shift in Focus to Protection and Alternatives: Those who oppose regime change call for a change in emphasis to protection and the investigation of alternative strategies. They support measures to shield citizens from massive atrocities without necessarily aiming to topple the current administration. These options can involve engaging in diplomatic discussions, providing aid to those in need, and assisting local actors in promoting political debate and peace.

In general, opposition to regime change in the context of military interventions is motivated by worries about sovereignty, stability, selectivity, unforeseen consequences, legitimacy, and the investigation of alternate strategies. These factors emphasize the value of rigorous study and strategic decision-making in resolving conflicts and safeguarding vulnerable populations while also adding to the complexity of discussions around military interventions

Chapter 5: Recommendations and Conclusion

The operationalization of Pillar Three of the responsibility to protect and the difficulties posed by political influence were the main topics of this thesis' in-depth analysis of the shortcomings of the doctrine at hand. Shortcomings in the RtoP doctrine were identified through analysis and case study, highlighting the necessity for further focus in order to effectively safeguard communities against mass crimes, but also to make the doctrine more relevant.

The primary conclusion of this study is that there are large gaps in the operationalization of RtoP, especially pillar three. While the normative framework offers a strong basis for action in circumstances where mass crimes are taking place or are imminent, this pillar's actual implementation is still insufficient and, in some cases, not relevant.

 The effectiveness of RtoP as a preventative and protective tool is hampered by the absence of clear rules and established procedures for prompt and decisive action. These types of action need to be taken by the UNSC, a complex political entity which already suffers from an internal conflict between the major powers that constitute its principal pillars. A unanimous approval of the P5 is a required pre-condition for any resolution to be taken, which hampers the process of swift and timely intervention as needed.

Nonetheless, these main authoritative nations put their national interest and their international political interest first, even at the detriment of the responsibility to protect other nations. As a matter of fact, the international security and national interest will always be considered before any decision is made. Vulnerable groups continue to suffer as a result, while the international community struggles to coordinate disjointed responses and to define the causes and the consequences of every war. This also has an impact of the inconsistency of the military intervention proving the critics related to the subjectivity of the pillar "three case by case" notion right.

There are a few recommendations that can help mitigate the risks involved in the implementation of the RtoP. Some of those were identified throughout this study:

- Clearer procedures and rules through the development of operational frameworks outlining the responsibilities, and most importantly the processes for coordination among pertinent players. Such frameworks should consider the complexity of many circumstances and offer doable actions for applying the doctrine, resulting in a more cogent and efficient response. A more concrete and doable action must be agreed upon and set clearly in order to enable the implementation of the military intervention with the least amount of confusion.

- The frameworks can assist in removing obstacles caused by political influence and the veto power by offering explicit norms, protocols, and intervention methods. The measures should be supported by thorough analysis, taking into account the specific circumstances of the current situation as well as the lessons learnt from earlier interventions. This will guarantee that the reaction is knowledgeable, sensible, and able to meet the urgent requirements of the impacted population.

- It was very obvious throughout the analysis how the Libya experience influenced the operationalization of the military intervention in Syria. The international community did not learn from Libya, and did not avoid repeating the mistake in Syria; it was just the opposite. What happened in Libya boiled up even more the internal conflict within the P5.

- It is crucial to take into account the complexity of the situations in which interventions may be necessary in order to guarantee the complete and useful quality of these operational actions. Every situation has its own difficulties and calls for specialized solutions. Taking Syria as a main case study, it showed that

the variety of the armed groups involved in the conflict in addition to the dual nature of the war being an international but also a national conflict, added an extra layer of complexity.

- The applicability of RtoP on non-governmental armed groups: Overall, while the RtoP framework primarily focuses on the responsibilities of states, the behavior and actions of non-governmental armed groups should still be taken into account when considering the protection of human rights and preventing mass atrocities. Such application does not seem to be mentioned or clarified in the doctrine. Both pillars 1 and 2, specifically their capacity building component are not applicable to non-governments, so the armed groups in Syria are not part of the diplomatic discussions related to protection of human rights in Syria. Even though the same groups are accused of crimes against humanity, pillar 3 might be applicable to them. However, Pillar three remains a last resort, and its implementation proved that the doctrine is more applicable to wars that do not involve several parties in the conflict. Therefore, additional framework and regulations need to include the modern war module, which involves a variety of armies, and the procedures related to negotiating with them, without jeopardizing the sovereignty of the state.

- Additionally, the political alliances in the boiling Middle East proved to be of a great influence on the humanitarian situation. Therefore, the RtoP should be adaptable enough to take into account various events while still putting a priority on safeguarding civilian populations. The coordination and cooperation of key parties should be given top priority. In the aftermath of major tragedies, it is evident that governments, regional groups, and international organizations all play crucial roles. Therefore, effective information exchange,

communication, and consensus-building should be prioritized over political interest and hidden agendas. As a result, there will be a greater emphasis on coherence and coordination, which will reduce the effect of political factors and increase the possibility of quick decision-making.

- Reform of the veto process: The concepts and goals of RtoP are frequently undermined by decision-making processes' inherent political aspect. Its legitimacy and effectiveness are undermined by the doctrine's selective implementation depending on strategic and geopolitical reasons. Inconsistencies and inaction may result from states using the language around RtoP to further their own political and economic objectives. These difficulties highlight the significance of depoliticizing RtoP and encouraging sincere collaborations between nations and international organizations. Prioritizing the safety of vulnerable populations over exclusive national interests needs a shared commitment and high level of morality that goes beyond politics. It is essential to strengthen transparency, accountability, and inclusion in decision-making processes, which is very difficult in the current international political interest.

- The non-permanent members of the UNSC can play a crucial role in promoting objectivity, and encouraging the active participation of those members by providing them with more opportunities to contribute to the decision-making process can help balance the influence of the veto-wielding permanent members.

- Another essential reform is needed for the veto system in order to make it more accountable, transparent, and closer to be objective. Proposals, such as voluntary restraint on the use of the veto in situations involving mass atrocities

or humanitarian crises, have been suggested in the past. Exploring such reforms can help mitigate the potential abuse of the veto power.

- Increasing awareness of the doctrine through a multi-dimensional strategy including multiple stakeholders and tactics is required to address the gaps and issues revealed by this study. First, it is vital to promote increased awareness, conversation, and capacity-building. For RtoP to be effectively implemented, it must be better understood by states, politicians, and members of the civil society. An in-depth and nuanced grasp of the ideology can be attained by funding education and training initiatives that uphold the RtoP's guiding principles and values. States and institutions may create a strong foundation for well-informed decision-making and action by increasing knowledge and awareness.

- Additionally, promoting open and inclusive discourse within global fora and platforms can aid in developing a feeling of responsibility and cooperation among participants. States can share best practices, lessons learned, and creative solutions to fill up the gaps in Pillar Three by engaging in ongoing discourse. The normative foundation of RtoP can be strengthened by this intellectual interaction, assuring its applicability and adaptation to new issues.

- Additionally, encouraging the participation of non-profit groups, impartial specialists, and regional players can operate as a check and balance against political interference. These stakeholders have a variety of viewpoints and skills to offer, which can improve the decision-making process and lessen the adverse effects of political concerns.

The obligation to safeguard must not be seen as a vague ideal, but rather as a specific duty that calls for our steadfast devotion and resolve. Closing the loopholes in pillar three and the RtoP doctrine might be challenging, however, the possibility to increase its relevance and its objectivity is still an attainable aspiration. Political willingness remains the main key to any challenging situation in the world's peace order, and it is true that any humanitarian crisis can be addressed and ended by one objective political decision.

References

Aaronson, M. (2014). Syrian and the Crisis of Humanitarian Intervention. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol : E-International Relations.

Adam, L. (2013, 12). The Responsibility to Protect Principle is not the Problem. (J. Welsh, Interviewer)

Alex Waal, R. O. (1994, March). *Middle East Research and Information Project.* Retrieved from Can Military Intervention Be "Humanitarian" ?: https://merip.org/1994/03/can-military-intervention-be-humanitarian/#:~:text=Customary%20international%20law%20has%20always,territ ories%20of%20the%20Ottoman%20Empire.

Ayoob, M. (2010). Humanitarian Intervention and State Sovereignty . *The International Journal of Human Rights*, 81-102.

Bagnoli, C. (2006). HUMANITARIAN INTERVENTION AS A PERFECT DUTY: A KANTIAN ARGUMENT. *HUMANITARIAN INTERVENTION, Vol 47*, 117-140.

Bellamy, A. (2013, June 11). *R2P Report 1: The Responsibility to Protect: Towards a "Living Reality".* Retrieved from UNA UK: https://una.org.uk/r2p-report-1-responsibility-protect-towards-living-reality-professor-alex-bellamy

Bellamy, A. J. (2011). The Responsibility to Protect and the Probelm of Regime Change. *e-interntional relations*. Retrieved from https://www.cambridge.org/core/books/abs/ethics-of-armed-humanitarian-intervention/responsibility-to-protect-and-the-problem-of-regime-change/D17B6468D2F30566F6FD959708FDAFF2#access-block

Bellamy, A. J. (2015). *The Responsability to Protect , A defense.* Oxford: Oxford.

Bellinger, M. (2020). The Dangers of Humanitarian Intervention and the Responsibility to Protect Doctrine, and a Partial Solution. *Indiana Journal for Global Legal Studies Vol 27 Iss.2 , Article 8* .

Bloor, K. (2022, May 15). *E-International Relations.* Retrieved from Theories of Global Politics: https://www.e-ir.info/2022/05/15/theories-of-global-politics/

Buskie, A. (2014, December 18). *UNA*. Retrieved from United Nations Association – UK (UNA-UK) : https://una.org.uk/news/understanding-responsibility-protect-introduction

Buso, M. (2020, july 13). *The Responsibility to Protect: A Disputed Matter.* Retrieved from e-international relations: https://www.e-ir.info/2020/07/13/the-responsibility-to-protect-a-disputed-matter/

Catherine Gegout, S. S. (2020). China, Responsibility to Protect, and the Case of Syria. *Global Governance (20)*, 379-402.

Chesterman, S. (2001). *Just War or Just Peace ? Humanitarian intervention and international law .* Oxford : Oxfrod University Press.

Coady, C. A. (2002). *The Ethics of Armed Humanitarian Intervention.* Washington DC: United States Institute of Peace.

Croucher, A. (2013, September 14). *E-International Relations.* Retrieved from The International Community and the Prevention of Genocide: https://www.e-ir.info/2013/09/14/never-again-all-over-again-the-international-community-and-the-prevention-of-genocide/

Crush, J. (2013, January). *CRITICALLY ANALYSE THE STATUS AND APPLICATION OF THE RESPONSIBILITY TO PROTECT DOCTRINE IN INTERNATIONAL LAW.* Kent, United Kingdom: University of Kent.

Cunliffe, P. (2014). The Responsibility to Protect and the New Liberal Dystopianism. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

DAVIES, D. A. (2015). Russia, humanitarian intervention and the Responsibility to Protect: the case of Syri. *International Affairs (Royal Institute of International Affairs 1944-), Vol. 91, No.*, 813-834.

Derek Averre, L. D. (2015). Russia, humanitarian intervention and the Responsibility to Protect: the case of Syria. *International Affairs (Royal Institute of International Affairs)*, 813-834.

Ercan, P. G. (n.d.). *Debating the Future of the 'Responsibility to Protect' The Evolution of a Moral Norm,.*

Evans, G. (2014). The Consequences of Non-Intervention in Syria: Does the Responsibility to Protect have a future. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

Finnemore, M. (1996). Constructing Norms of Humanitarian Intervention. In P. J. Katzenstein, *The Culture of National Security: Norms and Identity in World Politics* (pp. 153-185). New York: Columbia University Press.

Gallego, H. E. (2020). *Academia.edu.* Retrieved from The Great Syrian Civil War: A Realist Approach to the Syrian Conflict: https://www.academia.edu/42825365/The_Great_Syrian_Civil_War_A_Realist_Approach_to_the_Syrian_Conflict

Garwood-Gowers, A. (n.d.). *UNSW Law Journal.* Retrieved from https://www.unswlawjournal.unsw.edu.au/: https://www.unswlawjournal.unsw.edu.au/?s=THE+RESPONSIBILITY+TO+PROTECT+AND+THE+ARAB+SPRING%3A++LIBYA+AS+THE+EXCEPTION%2C+SYRIA+AS+THE+NORM%3F+

Glanville, L. (2014). Syria teaches us little about questions of military intervention. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

Hariman, F. A. (2018, January 17). *E-International Relations.* Retrieved from Realism, Post-Realism and ISIS: https://www.e-ir.info/2018/01/17/realism-post-realism-and-isis/
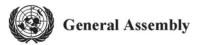
Hehir, A. (2014). SYRIA AND THE DAWN OF A NEW ERA. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis.* Bristol: E-International Relations.

Hosseini, K. (2018). *The Syrian Crisis from Three Different Approached to International Relations.* New York: State University of New York.

Hurd, I. (2011). *Is Humanitarian Intervention Legal? The Rule of Law in an Incoherent World.* Cambridge: Cambridge University Press. Retrieved from Is Humanitarian Intervention Legal? The Rule of Law in an Incoherent World.

Hurd, I. (2011, September 20). Is Humanitarian Intervention Legal? The Rule of Law in an Incoherent World. *Ethics & International Affairs*, pp. 293 - 313.

Jayshree Bajoria, R. M. (2013, June 12). *Council on Foreign Relations.* Retrieved from The Dilemma of Humanitarian Intervention: https://www.cfr.org/backgrounder/dilemma-humanitarian-intervention

Koops, D. F. (2015). *The Responsibility to Protect and the Third Pillar : Legitimacy and Operationalization.* Palgrave Macmillan.

Kuchling, J. (2020, June 16). *E-International Relations.* Retrieved from Liberal Peace and Its Crisis: The Revival of Authoritarianism: https://www.e-ir.info/2020/06/16/liberal-peace-and-its-crisis-the-revival-of-authoritarianism/

Landis, J. (2023, February 4). *Syria Comment*. Retrieved from Joshua Landis: https://www.joshualandis.com/blog/landis-news/

Landry, D. C. (2014). R2P in Syria: Regional Dimensions. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

Lea-Henry, J. (2018). The Responsibility to Protect (R2P) and the Problem of Political Will. *Polish Political Science Yearbook, Vol 47(3)*, 553-570.

Lou Pingeot, W. O. (2014). *In Whose Name ? .* New York: Global Policy Forum.

Marinelli, S. (2023). *The International Criminal Court and the Responsibility to Protect.* Oxford: Routledge.

Massingham, E. (2009, December). Military intervention for humanitarian purposes: does the Responsibility to Protect doctrine advance the legality of the use of force for humanitarian ends? . *International Review of the Red Cross (91)*, pp. 803-831.

McKay, D. R. (2014, January 20). *Into the Eleventh Hour R2P, Syria and Humanitarianism in Crisis.* Retrieved from E-International Relations: https://www.e-ir.info/2014/01/20/edited-collection-r2p-syria-and-humanitarianism-in-crisis/

McKeown, T. (2014, April 28). *Oxford Bibliographies.* Retrieved from Neorealism: https://www.oxfordbibliographies.com/display/document/obo-9780199743292/obo-9780199743292-0037.xml

Meiser, J. W. (2018, February 18). *E-International Relations.* Retrieved from Introduction Liberalism in International Relations Theory: https://www.e-ir.info/2018/02/18/introducing-liberalism-in-international-relations-theory/

Murray, R. W. (2014). Rationality and R2P: Unfriendly Bedfellows. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

Nahlawi, Y. (2020). *The Responsibility to Protect in Libya and Syria .* Oxford: Routledge.

Nardin, T. (2013). From Right to Intervene to Duty to Protect: Michael Walzer on Humanitarian Intervention. *The European Journal of International Law Vol 24 no 1*, 67-82.

Nations, U. (2005, September 16). *United Nations.* Retrieved from UN.ORG: https://www.un.org/en/conferences/environment/newyork2005#:~:text=In%20the %202005%20World%20Summit,cleansing%20and%20crimes%20against%20humanit y%22.

Oxford, A. (2011). *International Authority and the Responsibility to Protect.* Melbourne: Cambridge University Press.

Pattison, J. (2014). The case for criteria: moving R2P forward after the Arab Spring. In R. W. McKay, *Into the Eleventh Hour: R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

SANDRINA ANTUNES, I. C. (2018, February 27). *E-International Relations.* Retrieved from Introducing Realsim in International Relations Theory: https://www.e-ir.info/2018/02/27/introducing-realism-in-international-relations-theory/

Sohail Ahmad Ahmad, M. M. (2020, March). An Analysis of Syrian Conlict with the Lens of the Realist School of Thought . *Global Social Sciences Review*, pp. 660-671. Retrieved from An Analysis of Syrian Conflict with the Lens of the of Thought: https://www.gssrjournal.com/article/an-analysis-of-syrian-conflict-with-the-lens-of-the-realist-school-of-thought

Thakur, R. (2014). Syria and the Responsibility to Protect. In R. W. Mckay, *Into the Eleventh Hour: R2P, Syria and Humanitarianism in Crisis.* Bristol: E-International Relations.

United, N. (1945, June 26). *United Nations.* Retrieved from UN.ORG: https://www.un.org/en/about-us/un-charter/full-text

VanLandingham, R. (january 2012). Politics or Law: The Dual Nature of the Responsibility to Protect . *Denver Journal of International Law and Policy volume 41*, 63.

Walzer, M. (2004). The Argument about Humanitarian Intervention. In M. Walzer, *Ethics of Humanitarian Interventions.* Berlin: De Gruyter .

Weiss, T. (2014). After Syria, whither R2P. In R. W. McKay, *Into the Eleventh Hour : R2P, Syria and the Humanitarianism in Crisis.* Bristol: E-International Relations.

Weiss, T. G. (2012). *Humanitarian Intervention* (2nd ed.). Cambridge : Polity Press.

Welsh, J. M. (2016). *Daedalus.* Retrieved from The Responsibility to Protect after Libya & Syria: https://www.amacad.org/publication/responsibility-protect-after-libya-syria

Appendix A

United Nations | A/RES/60/1

General Assembly

Distr.: General
24 October 2005

Sixtieth session
Agenda items 46 and 120

Resolution adopted by the General Assembly on 16 September 2005

[*without reference to a Main Committee (A/60/L.1)*]

60/1. 2005 World Summit Outcome

The General Assembly

Adopts the following 2005 World Summit Outcome:

2005 World Summit Outcome

I. Values and principles

1. We, Heads of State and Government, have gathered at United Nations Headquarters in New York from 14 to 16 September 2005.

2. We reaffirm our faith in the United Nations and our commitment to the purposes and principles of the Charter of the United Nations and international law, which are indispensable foundations of a more peaceful, prosperous and just world, and reiterate our determination to foster strict respect for them.

3. We reaffirm the United Nations Millennium Declaration,[1] which we adopted at the dawn of the twenty-first century. We recognize the valuable role of the major United Nations conferences and summits in the economic, social and related fields, including the Millennium Summit, in mobilizing the international community at the local, national, regional and global levels and in guiding the work of the United Nations.

4. We reaffirm that our common fundamental values, including freedom, equality, solidarity, tolerance, respect for all human rights, respect for nature and shared responsibility, are essential to international relations.

5. We are determined to establish a just and lasting peace all over the world in accordance with the purposes and principles of the Charter. We rededicate ourselves to support all efforts to uphold the sovereign equality of all States, respect their territorial integrity and political independence, to refrain in our international relations from the threat or use of force in any manner inconsistent with the purposes and principles of the United Nations, to uphold resolution of disputes by

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[1] See resolution 55/2.

Democracy

135. We reaffirm that democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. We also reaffirm that while democracies share common features, there is no single model of democracy, that it does not belong to any country or region, and reaffirm the necessity of due respect for sovereignty and the right of self-determination. We stress that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing.

136. We renew our commitment to support democracy by strengthening countries' capacity to implement the principles and practices of democracy and resolve to strengthen the capacity of the United Nations to assist Member States upon their request. We welcome the establishment of a Democracy Fund at the United Nations. We note that the advisory board to be established should reflect diverse geographical representation. We invite the Secretary-General to help to ensure that practical arrangements for the Democracy Fund take proper account of existing United Nations activity in this field.

137. We invite interested Member States to give serious consideration to contributing to the Fund.

Responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity

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, to help to protect populations from genocide, 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.

Children's rights

141. We express dismay at the increasing number of children involved in and affected by armed conflict, as well as all other forms of violence, including domestic violence, sexual abuse and exploitation and trafficking. We support cooperation policies aimed at strengthening national capacities to improve the situation of those children and to assist in their rehabilitation and reintegration into society.

142. We commit ourselves to respecting and ensuring the rights of each child without discrimination of any kind, irrespective of the race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status of the child or his or her parent(s) or legal guardian(s). We call upon States to consider as a priority becoming a party to the Convention on the Rights of the Child.[36]

Human security

143. We stress the right of people to live in freedom and dignity, free from poverty and despair. We recognize that all individuals, in particular vulnerable people, are entitled to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights and fully develop their human potential. To this end, we commit ourselves to discussing and defining the notion of human security in the General Assembly.

Culture of peace and initiatives on dialogue among cultures, civilizations and religions

144. We reaffirm the Declaration and Programme of Action on a Culture of Peace[40] as well as the Global Agenda for Dialogue among Civilizations and its Programme of Action[41] adopted by the General Assembly and the value of different initiatives on dialogue among cultures and civilizations, including the dialogue on interfaith cooperation. We commit ourselves to taking action to promote a culture of peace and dialogue at the local, national, regional and international levels and request the Secretary-General to explore enhancing implementation mechanisms and to follow up on those initiatives. In this regard, we also welcome the Alliance of Civilizations initiative announced by the Secretary-General on 14 July 2005.

145. We underline that sports can foster peace and development and can contribute to an atmosphere of tolerance and understanding, and we encourage discussions in the General Assembly for proposals leading to a plan of action on sport and development.

V.   Strengthening the United Nations

146. We reaffirm our commitment to strengthen the United Nations with a view to enhancing its authority and efficiency, as well as its capacity to address effectively, and in accordance with the purposes and principles of the Charter, the full range of challenges of our time. We are determined to reinvigorate the intergovernmental organs of the United Nations and to adapt them to the needs of the twenty-first century.

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[40] Resolutions 53/243 A and B.
[41] See resolution 56/6.

Appendix B: Charter of the United Nations Chapters, Chapters V, VII & VIII

CHARTER OF THE UNITED NATIONS

AND

STATUTE OF THE

INTERNATIONAL COURT OF JUSTICE

SAN FRANCISCO • 1945

CHARTER OF THE UNITED NATIONS

WE THE PEOPLES OF THE UNITED NATIONS
DETERMINED to save succeeding generations from the scourge of war, which twice in our
life, time has brought untold sorrow to mankind, and to reaffirm faith in fundamental
human rights, in the dignity and worth of the human person, in the equal rights of men and
women and of nations large and small, and to establish conditions under which justice and
respect for the obligations arising from treaties and other sources of international law can
be maintained, and to promote social progress and better standards of life in larger
freedom,

AND FOR THESE ENDS to practice tolerance and live together in peace with one another
as good neighbors, and to unite our strength to maintain international peace and
security, and to ensure, by the acceptance of principles and the institution of
methods, that armed force shall not be used, save in the common interest, and to
employ international machinery for the promotion of the economic and social
advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS
To ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of
San Francisco, who have exhibited their full powers found to be in good and due form,
have agreed to the present Charter of the United Nations and do hereby establish an
international organization to be known as the United Nations.

CHAPTER V.   THE SECURITY COUNCIL

Members, questions relating to the operation of the trusteeship system, and budgetary questions. Composition

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions

6

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a

term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf. .

2, In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, Vll, Vlll, and Ml.

3. The Security Council shall submit annual and, when necessary, special reports to the Ceneral Assembly for its consideration. .

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and

security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation -of armaments.

Voting

Article 27

I. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members ; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such sub. sidiary organs as it deems necessary for the per.

formance of its functions.

Article 30

The Security Council shall adopt its own   rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of   the United Nations, if it is a party to a dispute under consideration by the   Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the exist. ence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and se. curity.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional meas. ures as it•deems necessary or deúable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what meas- ures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea,

air, postal, telegraphic, radio,   and other means of communication, and the severancê of diplomatic relations.

Article 42

Should the Security Council consider that meas- ures provided for in Article 41 would be inade-.

quate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international . peace and security. Such action may include demonstrations, blockade, and other operations

by air, sea, or land forces of Members of the United

Nations.

Article 43

1.   All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2.   Such agreement or agreements shall   govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided. .

3.   The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded be. tween the Security Council and Members or be^e tween the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective   constitutional processes. .
Article 44

. When the Security Council has decided to use force it shall, before calling upon a Member not

. represented on. it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contin. gents of that Member's armed forces. .

Article 45

In order to enable the United Nations to take . urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of

these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the mainte- nance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and pos. Sible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be in. vited by the Committee to be associated with it when the efficient discharge of. the Committee's responsibilities requires the participation of that Member in its work.

3, The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently,

4, The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the mainte• nance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate interna- tional agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

.If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carry. ing out of those measures shall have the right to consult the Security Council with regard to a solution of those problems. .

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective selfdefense if an armed attack occurs against a Mem. ber of the United Nations, until the Security Coun• .cil has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of selfdefense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII

REGIONAL ARRANGEMENTS

Article 52

.1. Nothing in the present Charter precludes the existence of regional arrangements or agen- cies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the inifative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1.   The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action tinder its authority. But no enforcement action shall be taken under regional arrangements or by regional agen   cies without the authorization of the Security Council* with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2.   The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept   fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.