

**Atrocity Crimes: Evaluating the Effectiveness of Responsibility to  
Protect (R2P) Framework Post-2005**



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A thesis submitted to the National University of Sciences and Technology, Islamabad,  
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## **DEDICATION**

This thesis is dedicated to all those who believed in me and supported me throughout this journey.



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## **LIST OF ABBREVIATIONS**

<b>ABBREVIATION</b>	<b>FULL FORM</b>
R2P	Responsibility to Protect
UN	United Nations
UNSC	United Nations Security Council
ECOWAS	Economic Community of West African States
AU	African Union
WSOD	World Summit Outcome Document
UNSG	United Nations Secretary General
P5	Permanent 5 Members of Security Council (The United States, China, Russia, France, and the United Kingdom)
NATO	North Atlantic Treaty Organization

## Abstract

The doctrine of Responsibility to Protect adopted by the UN in 2005, was a result of the international community's failure to prevent the horrors Rwandan Genocide and the Yugoslav wars, and sought to enhance the mechanisms for the prevention of mass atrocities. It was formulated to prevent four mass atrocity crimes: genocide, war crimes, crimes against humanity, and ethnic cleansing. While R2P was a rhetorically compelling international norm, it fell apart in practice, as evidenced by recurring atrocities in places like Myanmar, Syria, and Gaza. The lack of its inconsistent implementation in various cases of mass atrocities, sparked controversy. This thesis examined instances in which R2P had been utilized and in which the principle wasn't applied, discussing the factors that could explain the question of *'How effective and successful this framework is in preventing and responding to mass atrocities?'*

The research, using a qualitative methodology based on thematic analysis, explored the effectiveness of the doctrine in averting mass atrocities. It also aimed to shed light on the successful interventions of R2P. The study identified the instances where the R2P doctrine can or could have been invoked—like in Myanmar and Gaza—and analyzed the reasons behind its underutilization. As a result, the findings emphasized the structural issues inside the United Nations Security Council (UNSC) that hinder the doctrine's effectiveness. Moreover, the findings also revealed the need for defined criteria to measure the success of atrocity prevention. Addressing the structural issues within the UNSC, establishing clear criteria for measuring atrocity prevention success, and fostering a greater inclusive and equitable approach to humanitarian intervention are crucial steps in realizing the full potential of the doctrine.

**Keywords:** Responsibility to Protect (R2P), United Nations Security Council (UNSC), Mass Atrocities, Criteria for Success, Humanitarian Crises, Myanmar, Gaza

# **Chapter 1**

## **INTRODUCTION**

### **1.1 Introduction**

In recent decades, the world has borne witness to distressing human rights violations, epitomized by the tragic events of the 1994 Rwanda Genocide and the atrocities that unfolded during the disintegration of the former Yugoslavia. These alarming incidents were stark reminders of the international community's inability to prevent or halt such crimes.

Since then, the international community has made efforts to develop doctrines and policies that are aimed at protecting human lives and reducing suffering during conflict situations, as a response to past failures. In this regard, The International Commission on Intervention and State Sovereignty (ICISS) first coined the term 'Responsibility to Protect' (R2P), some twenty years ago. In 2005, the UN Member States adopted the World Summit Outcome Document (WSOD) with consensus, which established the responsibility of states and the international community to protect under Paragraphs 138 and 139 of the documents.

This represented a paradigm shift in international relations as it emphasised the collective duty of the international community in cases where the states are in reality violating the principles that R2P seeks to uphold. The principle of R2P is primarily based upon three pillars and those pillars work collectively to guide the prevention and reaction to mass atrocities. This study seeks to provide critical insights on the effectiveness of the R2P doctrine in curbing mass atrocities like genocide, crimes against humanity, war crimes, and ethnic cleansing. This involves looking into the instances where the doctrine has been implemented since 2005, and explores whether or not it successfully deterred or stopped atrocities. With this regard, it is also necessary to look into the areas in which it may not have been invoked in spite of meeting the criteria.

In conclusion, this research seeks to answer key question about the Responsibility to Protect: How effective this doctrine is in preventing atrocity crimes? Are there cases whereby it could have been used but wasn't? Through rigorous qualitative analysis, this research seeks to

understand what R2P can do and cannot do in terms of stopping mass atrocities thereby contributing to global debates on human security concerns across the world.

The document consists of four chapters. The first chapter introduces the topic of the thesis with a research proposal. The second chapters deal with a thorough literature review of the existing data available on this topic. The third chapter outlines methodology by discussing in detail the applied research design and methods. The fourth chapter of the thesis presents final findings, which includes results and its analysis, leading to a conclusion for the research.

## **1.2 Problem Statement**

The framework of the responsibility to protect (R2P) came out of the historical failure of the international community to prevent the mass atrocities such as the 1994 Genocide in Rwanda and violations in former Yugoslavia. One of the most essential components of the doctrine is the prevention of atrocity crimes inclusive of genocide, war crimes, crimes against humanity and ethnic cleansing. For all the consensus that exists about its framework as a mechanism to deal with such atrocities, there is a gap between its theoretical foundations and what is actually happening in reality.

This gap questions the essential validity or implementation of the doctrine in preventing mass atrocities. In this regard, there is a need to examine the instances where the doctrine should have been invoked but it wasn't despite meeting the necessary threshold of atrocity crimes. Also, it is essential to assess whether the doctrine when invoked has prevented the atrocities or further deteriorated the situation. The aim of this research is to investigate how the framework doctrine successfully and effectively prevents and responds to mass atrocities. Similarly, there is an urgent need to assess the use of R2P in places of conflict to determine the challenges and barriers of this framework in preventing mass atrocities.

## **1.3 Literature Review**

The following section provides a comprehensive overview of the scholarly contributions and debates surrounding the Responsibility to Protect (R2P) principle, its historical context, and its practical application in conflict zones. This review also explores the concept of atrocity crimes on which the foundational basis of R2P was made, laying the groundwork for assessing its ability to protect human security and prevent mass atrocities.



### **1.3.1 *Historical Context and the Emergence of Responsibility to Protect (R2P) Framework***

At its core, the framework of R2P has a deeper motivation, the prevention of atrocity crimes i.e. war crimes, crimes against humanity, genocide, and ethnic cleansing. Over the history, different scholars like Alex Bellamy and Gareth Evans have been debating about role of the international community in preventing and stopping mass atrocities. It was their study of the shortcomings of the global community in inhibiting atrocity crimes which triggered the idea behind the R2P principle. This can be seen for instance, in the critical remarks of Alex Bellamy on the past failure of the international community using historical events such as the Rwanda Genocide and the Yugoslav Wars to support his argument (Bellamy 2008). The inability to stop the genocides in Rwanda and the former Yugoslavia at the turn of the 20th century led to a change in the security discourse away from "state security" and towards "human security."

It was due to the grave concern of the international community regarding the failure to prevent such atrocities against civilians that led the Government of Canada and its Foreign Minister, Lloyd Axworthy, to convene the International Commission on Intervention and State Sovereignty (ICISS) in September 2000. The ICISS established the concept of R2P, based on three principles: Responsibility to Prevent, Responsibility to Protect, and Responsibility to Rebuild, as defined by (Stahn 2007). The report shifted the focus from the 'Right to Intervene' to the 'Responsibility to Protect' (Banda 2007). The report also aimed to redefine the concept of sovereignty, meaning that a state's sovereignty is conditional on its responsibility to protect its citizens and that the principle of non-intervention should be respected by all states as long as the state is fulfilling this responsibility (MacFarlane and Khong 2006). It means if a state is not fulfilling its notion of sovereignty by protecting its citizens, the international community as a whole has moral obligation to take action against that particular state.

This ICISS document devised the term "responsibility to protect" and laid the foundation for what countries will adopt as the United Nations R2P principles at the 2005 World Summit. Four years after its adoption in the ICISS report, the R2P concept was translated into legal principles and has been embraced by world leaders in 2005 at the United Nations World Summit Outcome Document under the paragraphs 138 and 139 (Hehir 2012).

The Responsibility to Protect doctrine results from international dismay at the 1990s human rights abuses (Garwood-Gowers 2013) and represents a reconceptualization of the concept of sovereignty that it is not something absolute. The inspiration for the idea of Responsibility to Protect drew from Francis Deng's idea of "State Sovereignty as a Responsibility" and

confirmed the idea that sovereignty is more than just protection from exterior impedances and that states have positive obligations for the welfare of their populations and to assist each other (United Nations n.d). In R2P, sovereignty is reformulated as responsibility, it is connected to the human protection norm, non-intervention is avoided without being accepted, and the problem is seen from the victims' point of view (Thakur 2016).

### ***1.3.2 Atrocity Crimes-Foundational Basis of R2P Framework***

To understand the intricacies of the R2P framework, it is essential to understand what atrocity crimes mean for which the doctrine was formulated. Generally, the term refers to the gross violations of human rights and international humanitarian law at a large scale, often targeting civilian populations. They are regarded as international crimes as that acts associated with these crimes affect human self-esteem. Atrocities are viewed as extreme mass violence that shocks the public conscience (GCR2P 2020). The world community condemns these atrocities and believes that it is morally required to take action to stop them, protect the victims, and punish those responsible (Kieran 2007). However, atrocity crimes refer to crimes such as genocide, crimes against humanity, war crimes, and ethnic cleansing. Atrocity crimes are high-impact, severe crimes of orchestrated character that shock humanity result in a significant number of deaths and affect the population (Scheffer 2006). Savita Pawnday called them conscience-shocking crimes that “take away and affect our humanity...The Holocaust, the genocide in Cambodia, Rwanda, and Bosnia are all stains on our conscience” (House of Commons Committee 2022).

The legal definitions of these crimes are defined are stated below:

#### **1.3.2.1 Genocide**

According to the Convention on Genocide, it is defined as “a crime committed with the intent to destroy a national, ethnic, racial or religious group, in whole or in part” (The Convention on the Prevention on and Punishment of the Crime of Genocide 1948).

#### **1.3.2.2 Ethnic Cleansing**

The idea of "ethnic cleansing," which is derived from the Serbo-Croatian (Muscott 2013) expression "etnicko ciscenje," was first used to refer to the 1990s events in the former Yugoslavia. Since ethnic cleansing has no official legal definition, the Secretary-General concludes that it is not a crime under international law but acts associated with it may constitute one of the other three atrocity crimes (United Nations n.d). For understanding, the term “Ethnic

Cleansing” refers to “the attempt to create ethnically homogeneous geographic areas through the deportation or forcible displacement of persons belonging to particular ethnic groups” (Andreopoulos 2004).

### **1.3.2.3 War Crimes**

A breach of the rules of war is a war crime. The Geneva Conventions, among other multilateral agreements, have established the legal definition of war crimes (GCR2P 2021). The Rome Statute of the International Criminal Court, which was adopted more recently, is the most complete legislative declaration on war crimes. According to Article 8 of the Rome statute, the following crimes constitute war crimes:

- Willful Killing
- Torture or inhumane treatment, including biological experiments.
- Conscripting POWs
- Unlawful Confinement
- Extensive destruction and appropriation of property, not defended by military necessity and carried out unlawfully (United Nations n.d)

### **1.3.2.4 Crimes against humanity**

These crimes are also comprehensively explained in Article 7 of the Rome Statute. For this purpose, crimes against humanity means “any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack” such as Murder, Enslavement, Extermination, forcible transfer of population and torture (United Nations n.d).

(There will be additional information concerning the examination of the criminal categories' content in the later chapters.)

The importance of preventing atrocity crimes can never be ignored. During the 1990s, the world witnessed numerous humanitarian crises and the failure of the United Nations to prevent and respond to atrocities in areas experiencing profound conflict. The inadequacies of the United Nations were on top when they could not protect the 800,000 people in Rwanda, and in Bosnia when at least 8372 people were killed within 10 days.

Despite the presence of the UN forces in both these instances, the death rate and consequences from these two conflicts shocked the world community by highlighting the inadequacy of the international community to handle civil wars and prevent mass atrocities. The occurrence of

these crimes undermines human security, questioning the fundamental right of humans to live and causing psychological trauma that cannot be measured. Additionally, the peace and security environment are also threatened by the gross violation of international human rights and humanitarian law. Therefore, prevention advances both the larger regional and global peace and stability agendas as well as national peace and stability.

### ***1.3.3 R2P as a Framework for Preventing Atrocities***

R2P was developed primarily to prevent the four atrocity crimes, and any use of force in conflict zones is reserved for actions within chapter VII of the United Nations Charter. However, there are situations in the real world where the Security Council fails to act, such as in Syria, Yemen, and Myanmar. These conflicts have been ongoing for decades, with high levels of violence resulting in the massive atrocity crimes. While R2P has contributed much already to the protection of populations in some cases over the last decade, the Security Council veto system could still allow situations to occur where states can perpetrate large-scale atrocity crimes against their citizens (Williams et al. 2012). The intrinsic limitation of the Security Council decision-making process reveals the significance of ongoing consultations and reform agenda in understanding nuances of the veto procedure.

Though the doctrine was formally adopted in 2005 at the United Nations, it has been invoked in many Security Council resolutions since then. However, it has failed to be implemented further due to the interests of others. So, this raises the question of whether the doctrine was just formulated to serve the interests of some big players in the international arena or was actually concerned with protecting the people from these gross crimes.

### ***1.3.4 Unexplored terrain: Assessing R2P's application in Conflict Zones for Preventing Mass Atrocities***

The quest for the R2P framework was based upon preventing these atrocity crimes discussed above. Since its adoption, many events happened under the roof of the United Nations when it comes to implementing this doctrine. The principle has been invoked in over 80 Security Council resolutions and almost 50 Human Rights Council resolutions. The principle has been invoked in various countries such as Libya, Syria, Darfur, Myanmar, Yemen, and Sri Lanka to reduce the ratio of atrocity crimes committed against the civilian population during war or peace. As discussed above, there is a gap in theory and practical implementation of the principle. The reoccurring atrocities in places like Syria, Yemen, and Myanmar among others show that the Protection of Civilians (POC) is still generally lacking in many regions of the

world and serves as a reminder that there is still more work to be done to strengthen nations' obligations to prevent atrocities within their own boundaries. In turn, the UN Security Council's inability to resolve R2P crises successfully speaks eloquently about the controversy surrounding the idea's use.

Furthermore, the United Nations has also developed a “Framework for the Analysis of Atrocity Crimes” which is an essential tool of atrocity prevention as it clearly defines what atrocity crimes are and the key risk factors associated. Yet still, the ability of the R2P to prevent mass atrocities remains unclear. For example, in the case of Myanmar over the last ten decades, several instances led to atrocity crimes and genocidal violence but why the international community is still unable to prevent these atrocity crimes? Why is the promise of “Never Again” turned into again and again? (Mennecke and E. Stensurd 2021). This research seeks to fill this gap and will comprehensively delve into the matter of to what extent the framework is sufficient to prevent atrocity crimes and what inherent limitations of this framework undermine the main objective for which it was formulated.

#### **1.4 Conceptual Framework**

The study's conceptual framework is the Responsibility to Protect (R2P) doctrine itself, which was established as a mechanism to safeguard civilian populations from mass atrocity crimes such as genocide, war crimes, crimes against humanity, and ethnic cleansing. These crimes often occur during times of conflict when civilians are disproportionately affected. R2P was officially endorsed by the United Nations in the 2005 World Summit, under paragraphs 138 and 139 of the Outcome Document.

The full representation of the R2P can be summarized in its three pillars:

**Pillar One** - State Responsibility to Protect: States are primarily responsible for safeguarding their populations from mass atrocities, including genocide, war crimes, crimes against humanity, and ethnic cleansing.

**Pillar Two** - International Assistance and Capacity-Building: The international community is responsible for aiding states in fulfilling their protective role by aiding, diplomacy, and support.

**Pillar Three** - International Responsibility to Protect: If a state is unable or unwilling to protect its population, the international community has a duty to intervene,

employing a range of measures, from peaceful to coercive, to prevent or halt mass atrocities (United Nations 2009).

The rules for the use of military force as an intervention instrument to safeguard civilians at the risk of mass atrocities are also developed under the framework of R2P. The historical emergence and context of this framework are briefly explained in the chapter 1 , but it will be discussed later in detail as a whole chapter.

## **1.5 Research Questions**

### *Main Research Question*

**Question 1:** To what extent the R2P doctrine is successful and effective in preventing and responding to mass atrocities?

### *Secondary Research Questions*

**Question 2:** What are the key instances where the Responsibility to Protect (R2P) doctrine has been invoked, and how successful were these interventions in responding to mass atrocities?

**Question 3:** What are the instances where the Responsibility to Protect (R2P) doctrine could have been applied but was not, and what are the reasons behind its underutilization?

## **1.6 Research Objectives**

1. To assess the extent to which the R2P doctrine has been invoked and effectively utilized as a in preventing and responding to mass atrocities.
2. To examine key instance where the R2P doctrine was invoked and evaluate the success of these interventions in protecting civilians and preventing mass atrocities.
3. To examine instances where the R2P framework could have been applied but was not and analyse the reasons behind its underutilization.

## **1.7 Research Methodology**

This study will employ a qualitative method to achieve the research objectives while focusing on a thematic analysis technique that identifies common themes and patterns from primary and secondary data. These sources also concentrate on the failure and difficulties of responsibility to protect and its implications for a security doctrine grounded in human rights principles. This

will require engaging with extensive literature about the concept of R2P and finding out what has been done within it.

The primary data would come through the analysis of government documents and policy-level experts' interviews conducted among various R2P centres worldwide, including the Asia Pacific Centre for Responsibility to Protect (APCRP), the European Centre for Responsibility to Protect (ECRP), and the Global Center for the Responsibility to Protect (GCR2P) located in New York. In addition, the documents will focus largely on the instances when there is an invocation of R2P; how were these interventions? The study will also refer to internet sources information on the events that led to the development of R2P and its historical context, how it has evolved, and when it has been successful or failed. The research will also look at different cases defined by different centres around the world. This research methodology is instrumental in unravelling the complexities involved in implementing R2P in conflict areas and understanding the challenges and controversies surrounding it.

### **1.8 Research Significance**

This research has great significance because it is addressing global critical humanitarian issues directly to avoid mass atrocities. It discusses the Responsibility to Protect (R2P) framework and its effectiveness thereby providing a way forward for the protection of vulnerable populations in conflict areas. Policymakers and international organizations should take these findings as an opportunity to refine their efforts aimed at averting mass atrocities. The study does this by examining major cases where R2P has been applied, thus providing a basis from which future interventions can learn some lessons. To sum up, the weighty nature of this research will be seen in how it addresses present-day global issues and possibly influences policies and practices that can enhance the welfare of vulnerable people. By filling this gap, the study provides policymakers and practitioners with valuable insights into the challenges and controversies associated with R2P implementation. The research also contributes to the broader academic literature on human security, international relations, and the Responsibility to Protect doctrine.

## **Chapter 2**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

The efforts of the international community to prevent and halt the mass atrocities have been somehow controversial throughout the history. With the changing nature of the conflict, the level of violence perpetuated in those conflicts also became intense, targeting the civilian population. The period following the Cold War has witnessed a surge in the discourse surrounding human rights and its advancement on the global stage, aligning with an increasing inclination to perceive a connection between breaches of human rights and international security (Fixdal and Smith 1998). However, at the end of the 20th century, the international community's failure to prevent events such as the Rwandan Genocide and the Yugoslav War also made the debate concerning the traditional definition of security focus more on the human aspect of security, that is, to protect human security.

In this regard, the framework of Responsibility to Protect (R2P) served as a beacon that addresses the need to prevent and respond to the gravest crimes of humanity, also known as atrocity crimes. At its core, R2P seeks to safeguard populations from atrocities such as genocide, war crimes, crimes against humanity, and ethnic cleansing. Since its adoption, several scholars have contributed to the literature by examining the historical emergence of R2P while exploring its normative and legal aspects and the actors involved in the implementation. However, it has largely overlooked the question of how effective this framework is in preventing atrocity crimes.

The following section provides a comprehensive overview of the scholarly contributions and debates surrounding the Responsibility to Protect (R2P) principle, its historical context, and its practical application in conflict zones. This review also explores the concept of atrocity crimes on which the foundational basis of R2P was based, laying the groundwork for assessing its ability to protect human security and prevent mass atrocities.



## **2.2 Historical Context and the Emergence of the Responsibility to Protect (R2P)**

### **Framework**

Until the end of the 1990s, scholars and international relations analysts gave little attention to the diverse dimensions of violence, conflict, the level of crimes committed, and the international community's failure to prevent those crimes. However, with time and the growing failure of the international community to halt the atrocities, scholars such as Alex Bellamy and Gareth Evans have debated the international community's role in preventing and ceasing mass atrocities.

The main objective for which R2P was introduced was to prevent atrocity crimes such as genocide, war crimes, crimes against humanity, and ethnic cleansing. Their analysis of the failures of the international community to prevent atrocity crimes catalysed the R2P principle. For example, Alex Bellamy critically examines the historical failures of the international community, particularly in the context of the Rwanda Genocide and the Yugoslav Wars (Bellamy 2008). The inability to stop the genocides in Rwanda and the former Yugoslavia at the turn of the 20th century led to a change in the security discourse away from "state security" and toward "human security."

The situation being of prime concern to the overall global populace, the Government of Canada led by its Foreign Minister Lloyd Axworthy initiated the formation of ICISS in September 2000. The ICISS introduced the concept of R2P based on three principles, namely: Responsibility to Prevent, Responsibility to Protect, and Responsibility to Rebuild as articulated by (Stahn 2007). The report shifted focus from the 'Right to Intervene' to the 'Responsibility to Protect' (Banda 2007). The report also aimed to redefine the concept of sovereignty, stating that a state's sovereignty depends on its responsibility to protect its citizens (MacFarlane and Khong 2006). This shows that the principle of non-intervention should be respected by all states as long as the state is fulfilling this responsibility.

The inspiration for the idea of Responsibility to Protect drew from Francis Deng's idea of "State Sovereignty as a Responsibility" and confirmed the idea that sovereignty is more than just protection from exterior impedances and that states have positive obligations for the welfare of their populations and to assist each other (United Nations n.d). In R2P, sovereignty is reformulated as responsibility; it is connected to the human protection norm, non-intervention is avoided without being accepted, and the problem is seen from the victims' point of view (Thakur 2016). This shift in perspective marks a significant evolution in international relations,

anchoring sovereignty within a framework that prioritizes the security and wellbeing of individuals above the traditional understanding of state boundaries.

### **2.3 Understanding the Responsibility to Protect (R2P)**

The term “responsibility to protect” was coined by the ICISS document and laid the foundation for what countries would adopt as the United Nations R2P principles at the 2005 World Summit. The responsibility to protect, known as R2P, has been embraced by world leaders in paragraph 138 and 139 of the 2005 United Nations World Summit Outcome Document. The same was later reiterated in Resolution 1674 of 2006 (Davies & Glanville 2010). Since its inception, the R2P principle and principal actors have been deliberated upon by different scholars in great details (Thakur 2016).

Both Paragraphs 138 and 139 as referenced in the World Summit Document 2005 are stated below:

**Paragraph 138** of the Outcome Document stresses upon prevention of the four crimes through “appropriate and necessary measures” and states have expressly agreed to “support the United Nations in establishing an early warning capability” (UN World Summit Document 2005).

**Paragraph 139** refers to the international community’s role, through the UN to “use appropriate diplomatic, humanitarian and other peaceful means in accordance with Chapters VI and VIII of the Charter” to protect populations from casualties that results out from the possible escalation of these crimes. Only when states fail does that responsibility of the international come into play. With this in mind, we are ready to pursue collective action, where needed, through the Security Council, depending on the circumstances of the specific situation, in compliance with the Charter, including Chapter VII, and in cooperation with appropriate regional organizations as if peaceful means are incapable of ending *genocide, war crimes, ethnic cleansing, and crimes against humanity* national authorities are a failure in offering protection to their people.

Hence the framework’s underlying principle is based upon three main postulates given in Table 2.1:

Table 2.1: *Three Pillars of Responsibility to Protect (R2P) Framework*

<b>Pillar</b>	<b>Description</b>
Pillar 1	Every state has the Responsibility to Protect 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.
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 by the UN Charter.

The Secretary General refers to Pillar 1 as the “bedrock” of R2P and calls for states to “ensure effective mechanisms to handle domestic disputes, foster respect among disparate groups and protecting the rights of women, youth and minorities”.

Pillar 2 centres on the global community working cooperatively with "member States, regional and sub-regional bodies, civil societies and private sectors" to (1) engage states to fulfil Pillar 1 obligations, (2) help states to discharge their obligations, (3) develop the abilities of states to protect their populations from mass atrocities and (4) backing states which are under "stress" prior to "crisis" and conflict".

Pillar 3 then deals with the responsibility of the international community to take action through a great many varieties of mechanisms. This may be given in the form of economic, diplomatic, political or juridical responses and where necessary, in exceptional cases could be coercive. Force, however, must only be used when backed by the UNSC (WSOD 2005).

It is one of the misconceptions that this framework is all about taking military actions when it comes to preventing atrocities. There is a need to view this from a much broader idea, that before taking any military action under the Pillar 3 (Paris 2015), several non-coercive measures should be adopted, while military action must be the last resort.

Since its formulation, the framework has emerged in numerous statements by the President of the United Nations Security Council (UNSC) on issues as diverse as protecting civilians in armed conflict, international peace and security, and the protection of children. R2P has also played an essential role in determining the institutional architecture of the international community, mainly through its involvement in the Peacebuilding Commission (Lea-Henry 2018). R2P represents a significant shift in international society (O'Hagan 2015). It emphasizes the duty of states to assist those facing catastrophes. It reflects a normative change in which human beings are recognized as subjects of universal law and international relations, to some extent, in response to the evolving nature of threats to individuals and the changing relationship between states and individuals (Tsai 2010). This evolution prompts a re-evaluation of the global community's role in safeguarding human rights and ensuring collective security in an increasingly interconnected world.

However, one argument is that doctrine is very limited and only covers four particular offenses and violations, namely genocide, crimes against humanity, war crimes, and ethnic cleansing (Schabas 2018). The standard, therefore, does not tackle additional threats to human security, that emerge out of ordinary disasters, wellbeing crises, deficit, or corruption.

#### **2.4 Atrocity Crime: The Foundation of the R2P Framework**

To understand the intricacies of the R2P framework, it is essential to understand what atrocity crimes mean for which the doctrine was developed. Generally, the term refers to severe violations of human rights and international humanitarian law on a large scale, often targeting civilian populations. The reason why these crimes are considered international crimes is because they are associated with acts that have an impact on human dignity. Atrocities are viewed as extreme mass violence that shocks the public's conscience (GCR2P 2020). The world community condemns these atrocities and believes it is morally necessary to stop them, protect the victims, and punish those responsible (Kieran 2007). For these crimes, the framework of Responsibility to Protect was formulated because, in any situation, civilians must be protected at any cost.

However, atrocities include genocide, crimes against humanity, war crimes, and ethnic cleansing. The legal definitions of these crimes are defined in international documents, which will be stated below, other than ethnic cleansing, as it is not a legal crime under international law but has the threshold to be considered a war crime or crime against humankind. The table below shows different types of atrocity crimes under international law.

Table 2.2: *Description of Atrocity Crimes under the framework of Responsibility to Protect (R2P) Framework*

<b>Crime Type</b>	<b>Definition</b>	<b>Examples</b>
Genocide	A crime committed with the intent to destroy a national, ethnic, racial or religious group, in whole or in part	a. Killing members of the group; b. Causing serious bodily or mental harm to the members of the group; c. Intentionally inflicting conditions of life for physical destruction; d. Imposing measures to prevent births; e. Relocating children from one group to another.
Ethnic Cleansing	Attempt to create ethnically homogeneous areas through the deportation or forcible displacement of persons belonging to particular ethnic groups.	a. N/A (as ethnic cleansing is not recognized as a standalone crime, but acts may constitute other crimes)
War Crimes	Breach of the rules of war, as defined by the Geneva Conventions and the Rome Statute of the International Criminal Court.	a. Willful killing; b. Torture or inhumane treatment; c. Conscripting POWs; d. Unlawful confinement; e. Extensive destruction and appropriation of property.
Crimes against humanity	Acts committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.	a. Murder; b. Enslavement; c. Extermination; d. Forcible transfer of population; e. Torture.

The importance of preventing atrocities cannot be ignored. During the 1990s, the world witnessed numerous humanitarian crises and the inability of the United Nations to prevent and

respond to atrocities in areas experiencing profound conflict. The inadequacies of the United Nations were on top when they could not protect the 800,000 people in Rwanda and Bosnia, where at least 8372 people were killed within ten days.

Despite the presence of UN forces in both these instances, the death rate and consequences from these two conflicts shocked the world community by highlighting the inadequacy of the international community in handling civil wars and preventing mass atrocities. Preventing atrocities should be a priority for everyone. The occurrence of these crimes undermines human security, questioning the fundamental right of humans to live and causing psychological trauma that cannot be measured.

Additionally, gross violations of international human rights and humanitarian law threaten the peace and security environment. Therefore, prevention advances regional and global peace and stability agendas and national peace and stability (United Nations n.d). By proactively addressing the root causes of conflicts and atrocities, nations can fortify their social fabric, enhance governance structures, and foster resilient communities.

## **2.5 R2P as a Framework for Preventing Atrocity Crimes**

The framework has retained its significance even after its formal adoption. It has become more critical in the current context of protection crises that the emergence of violent extremists has worsened. R2P has played a significant role in shaping how the international community views situations involving protection failures and has created higher expectations regarding the response to atrocity crimes that have already taken place or are about to happen. There is a difference of opinion among scholars related to the tendency of R2P to prevent atrocity crimes.

For Alex Bellamy, the framework of R2P serves as one of the most significant developments in the conflict resolution to humanitarian crises (Bellamy 2011). Another scholar Acharya, also views this principle as one of the greatest works of the ICISS in response to the previous crisis (Acharya 2015). However, in another work, Bellamy discusses how R2P emerged as a response to the international community's failure to prevent mass atrocities, emphasizing its primary focus on prevention. He explores the three pillars of R2P and highlights the controversial issue of employing armed force as a final option within the third foundational aspect. Bellamy argues that while R2P promotes non-coercive measures and dialogue, military intervention might be necessary in certain cases to prevent or halt atrocities (Bellamy 2022). He acknowledges the inherent tension between R2P's non-coercive intentions and the possibility of military intervention, and he underscores the significance of upholding proportionality standards,

legality, and legitimacy when considering forces. Bellamy also addresses criticisms that R2P is a cover for powerful states' political agendas, emphasizing the need for transparency and adherence to international law to maintain R2P's credibility.

Similarly, other scholars also view R2P as 'sound and fury signifying nothing'; a mere 'slogan employed for differing purposes shorn of any real meaning or utility' (Hehir 2010, 218–219). This argument is also validated by Murray in his work where he points out that state responses to mass atrocities continue to be dictated by 'rational calculations premised on self-interest' (Murray 2013, 16). The discourse around R2P continues to evolve, highlighting the complexities and challenges inherent in translating this doctrine into meaningful action to prevent and respond to crises.

According to Stretton, the concept of R2P represents both positive and negative sides. Its positive aspect lies in its encouragement of states to protect human rights and prevent mass atrocities. The concept serves as an instrument to pressure states to fulfil their responsibility to protect citizens, even if intervention doesn't occur. However, Stretton also points out the risk that self-interest can influence decisions regarding intervention (Taylah 2019). Also, M. Ayoob (2002,82) highlights how the Responsibility to Protect has given humanitarian intervention a new dimension by allowing governments to pursue their objectives under the protection of the international community. To be more precise, it makes the case that states have the authority to choose whether to act in areas in which they have a direct stake and whether to refrain from doing so in other areas in which they do not.

Authors in the past years have started to reposition the nature of R2P. Some conceive it is about individual responsibility to prevent atrocity crimes where others see an international and national capacity to prevent these crimes. Popovski, in his examination, underscores the global Responsibility to Protect (R2P) mechanism of response or intervention amidst mass atrocities. He also emphasizes this task of the Security Council as the "the most powerful and precise instrument of the international radial for the maintenance of international peace" for the implementation of R2P to protect people at risk (Popovski 2018). But his research has not considered the challenges or obstacles that might confront us in carrying through with this model.

However, Aji Poerana and Handayani emphasize the role of different actors in implementing this framework. For example, their study shows the importance of the role of government in conflict prevention and the prevention of atrocity crimes (Aji Poerana and Handayni 2021).

Still, their study needs to include the main challenges that any actor on the national level may face when implementing this model.

Secondly, the primary focus on the role of national actors in implementing this model does not delve into the specific roles and responsibilities of international or regional organizations, such as the United Nations, in implementing R2P. On the other hand, research by Luck and Luck argues for strengthening the potential of individuals and including individual actors besides the national and international actors (Luck and Luck 2015). This states that the focus should be broad to allow the comprehensiveness of the analysis of the effectiveness of R2P.

R2P was developed primarily to prevent the four atrocity crimes, and any use of force in conflict zones is reserved for actions within Chapters VII of the United Nations Charter. However, there are situations in the real world where the Security Council fails to act, such as the Syrian case in 2011. Under the third pillar of R2P, limited use of force should be permitted to safeguard populations in such scenarios. Although R2P has contributed significantly to protecting populations over the past decade, the Security Council's veto system can still lead to circumstances where states can commit mass atrocity crimes against their citizens (Williams, Ulbrick, and Worboys 2012). This inherent limitation in the Security Council's decision-making process underscores the need for continued dialogue and reform efforts to address the complexities surrounding the use of veto power.

## **2.6 The interconnection between the framework of Responsibility to Protect (R2P) and Human Security**

Over the last years scholars have analysed the relationship between R2P and Human Security, arguing that the notion derives from the understanding that R2P is supposed to protect populations from genocide, war crimes and crimes against humanity, a principal component of human security. R2P asserts that the state has the ultimate responsibility to protect its own citizens from genocide, war crimes, ethnic cleansing, and crimes against humanity (Martin 2011). Over time, this goal morphed into the idea of the protection [the blue helmet] and facilitation [the dove] of individuals both under and within lines of sovereignty. R2P places the security of individuals above the older security of states and calls attention to the connection between human security and state responsibility to protect their populations.

To address the diverse risks threatening the security of people at the UN level, the human security concept and the R2P are first linked. Bellamy and Luck contend that the human security foundations of R2P can be traced back to the International Commission on Intervention



and State Sovereignty (ICISS) report since R2P shifts the focus to the critical need for protection, specifically regarding the safety and wellbeing of individuals seeking assistance or protection, and the security of individuals against threats to their life, personal safety, dignity, and livelihood (Bellamy and Luck 2018). This shows the strong connection between R2P and human security, but literature shows that their connection has been debated on various fronts.

Some researchers argue that the R2P has diminished the revolutionary potential of human security and has come to dominate the debate on protecting human rights and preventing mass atrocities (Hehir 2015), while others show that R2P has been fundamentally derived from the concept of human security. The concept of human security points to securing people's lives, which leads to R2P (Nishikawa 2010, 81). In order to effectively prevent atrocity crimes, Jarvis argues that there needs to be a stronger connection between the R2P norm and human rights (Jarvis 2022). Jarvis asserts that enhancing the interconnection between R2P and human rights is crucial for preventing atrocity crimes.

However, the implementation of R2P as a human security doctrine has also been criticized. The criticism lies in the fact that doctrine does not apply to any other human rights violations or severe concerns to human security, such as those posed by endemic poverty, disease, or many other destructive governmental actions, such as suspending civil liberties (GCR2P 2021). It is worth noting that R2P emerged from the human security doctrine to safeguard civilians. However, it is exclusively focused on atrocities, meaning it will only be invoked in cases of such crimes rather than for other issues.

## **2.7 From Doctrine to Practice: Implementation and Non-Implementation of R2P**

Since its adoption, many events have occurred under the roof of the United Nations regarding implementing this doctrine. The principle has been invoked in over 80 Security Council resolutions and almost 50 Human Rights Council resolutions (GCR2P n.d). The principle has been invoked in various resolutions but has seen limited implementation in countries to avert the atrocities. This section will provide a brief overview of the cases relating to the implementation and non-implementation of the framework since its adoption.

### ***2.7.1 Implementation of R2P***

There have been some success stories as claimed by the international community just like in Kenya in 2008, Cote D Ivoire, and some initial success of Libya. This section will provide a brief analysis of the success cases of the Responsibility to Protect (R2P) under the three pillars

of R2P. This is further categorized into two sub sections, the implementation of the framework under coercive (military force), and non-coercive (preventive strategies) measures.

### **2.7.1.1 R2P under Coercive Measures**

#### **2.7.1.1.1 Libya**

The conflict in Libya is considered a prominent example of the R2P case. The conflict has its roots in the February 2011 protests that turned into demands for President Muammar Gaddafi's resignation (GCR2P 2022). As the demands grew, the government's response turned violent against the civilians. Followed by this, more than thousand people lost their lives even before the military intervention took place. As the violence escalated to an extreme level, many international and regional organizations, including the UN member states showed their concern on the matter.

For this reason, the UN Security Council (UNSC) had credited Resolution 1970 on February 26 and called for an immediate cessation of hostilities by the Libyan authorities. It also agreed to refer the matter to the International Criminal Court (ICC), impose arms embargo on Libya, and freeze assets of some high-level Libyan official (UNSC 2011).

In a parallel development, as the desired result was not achieved and fatalities mounted, on March 17, 2011, the UN Security Council adopted Resolution 1973 authorizing 'all necessary measures' to suppress the use of forces against civilians and the civilian community (GCR2P 2012). This subsequent resolution authorized member states, in accordance with Chapter VII of the UN Charter, to undertake any requisite measures to safeguard civilians and areas inhabited by civilians that faced the imminent threat of attack within Libya, including the city of Benghazi. This resolution called for an immediate establishment of a cease-fire, an unambiguous halt to violence against civilians, and the enforcement of a no-fly zone and embargo on arms. So, a month later on March 31, NATO took over full command and spearheaded Operation Unified Protector in Libya to halt genocidal activities (Lopez 2014). This marked a critical turning point in the international community's response to the crisis.

#### **2.7.1.1.2 Cote D Ivoire**

The country has been subject to long standing disputes related identity politics and resulted in years of political instability. However, in the context of Responsibility to Protect, Cote D Ivoire, also known as Ivory Coast serves as the prominent case where the UNSC authorized action under the Chapter VII of the UN Charter, in a manner consistent with Pillar 3 of R2P.

Ivory Coast fighting is rooted in complex ethnic, national and religious divisions. Politicians weaponized those divisions to entrench their own grip on power and pushed the country towards civil war. The post-election violence in 2010 had pushed the country into severe mass atrocities. The dispute revolved around results announced by the electoral commission, as Gbagbo had huge support in the south, so he rejected results declaring Ouattara a winner of the second round of presidential elections (Ogwang 2011). Ouattara was of course not ready to hand over political leadership to him, as he stands accused of rigging votes in favor of the opposition's northern stronghold.

In the aftermath of the November 2010 presidential election, some 3,000 people were killed when incumbent president Laurent Gbagbo refused to cede power and clashes broke out between his supporters and those loyal to President Alassane Ouattara. However, under the UN Security Council in Resolution 1975, the atrocities ended, followed by an international military intervention (GCR2P 2022). This intervention, along with diplomatic efforts halted the violence and led to the eventual arrest of Gbagbo, restoring relative stability to the country.

#### **2.7.1.2 R2P under Preventive Measures**

The debate around the doctrine has mainly focused on the military resort or taking action under Pillar 3 of R2P. This debate has often overlooked the possibility of using preventive measures to resolve the conflict. Nonetheless, so far as the normative evolution of R2P within the United Nations (UN) is concerned, prevention has been presented as the primary objective of the concept. Separated from its now-deceased predecessor Kofi Annan (2004), who contended that the nobility of R2P lay in prevention, and following in the footsteps of Ban Ki-moon, the UN Secretary-General Ban Ki-moon has sought to emphasize prevention measures as a priority. (UNGA 2009). In this regard, the cases of Kenya and Guinea represents the importance of using preventive measures under the Pillar 1 and 2 of the doctrine.

##### **2.7.1.2.1 Kenya and Guinea**

Kenya and Guinea were the countries in which preventive diplomacy was used to halt the atrocities. Although they have witnessed more minor-scale atrocities as compared to other conflict zones but were eventually stopped due to the preventive efforts of the international community (Sereno and Weiss 2014). In both the cases, the major cause of the conflict lies in the political and ethnic saturation in the society, like for example in Kenya, violence erupted against the community after presidential elections in 2007, Guinean junta forces quashed a peaceful protest led by this group killing over one hundred civil rights activist civilians during

2009 (UNSC 2009; Weiss 2010). The situation in Kenya and Guinea underscores the importance of early prevention and how such measures also prevent the crisis from turning into atrocities. Williams also supports that such preventive deployments could reduce the risk of atrocity crimes through diplomatic, economic, and political efforts (Williams 2015). Furthermore, the international community in Paragraph 139 of WSOD also authorized to use peaceful measures in accordance with the Chapters VI and VIII of the UN Charter.

### ***2.7.2 Non-implementation of R2P***

The international community has witnessed numerous times where the Responsibility to Protect (R2P) doctrine has not been implemented, a long way outweighing the instances wherein it's been actually implemented. Atrocities continue to spread in locations like Yemen, Syria, Myanmar, and the long-status Israel-Palestine conflict, highlighting the frequent gaps in the doctrine's application.

#### **2.7.2.1 Myanmar**

Myanmar has a population of 54 million people and officially recognizes 135 major ethnic groups and seven ethnic minority states. In Myanmar, the Rohingya are an ethnic Muslim minority and approximately 3.5 million Rohingya are scattered across the globe (Centre for Preventive Action 2020). Despite constituting the most significant percentage of Muslims in Myanmar, the Rohingya community is the most discriminated against in the world. In the words of United Nations Secretary-General Antonio Guterres described the Rohingya as "one of, if not the, most discriminated people in the world" (BBC 2020). This discrimination has led to several conflicts within the region, and the roots of the Rohingya crisis are deeply rooted in the ethnic tensions within the area. The community of Rohingya in Myanmar is described as the world's largest stateless community, depriving them of fundamental rights such as access to health services, education, and employment.

In 2012, a wave of violent incidents, including riots, occurred in the country against the Rohingyas. This situation further escalated the long-standing dispute, and as a result, over one hundred thousand Muslim Rohingyas were forced to leave their homes within the country, and hundreds lost their lives (Center for Preventive Action 2024). However, the situation didn't stop there; in fact, another wave in 2017 came, which witnessed grave human rights violations against the community, resulting in mass atrocities that forced more than 700,000 Rohingya to flee the country.

This situation worsened following the 2021 military coup, complicating potential solutions. Today, approximately 1.35 million individuals are classified as refugees or asylum-seekers, with an additional 2.3 million internally displaced persons (IDPs). The scale of displacement is alarming, particularly among stateless persons, with 657,500 Rohingya lacking citizenship rights and access to essential services and protection (UNCHR n.d). The atrocities include arbitrary killings, sexual violence, arson, and severe restrictions on movement and essential services, leading to allegations of ethnic cleansing and genocide. The 2017 UN Fact-Finding Mission on Myanmar (IFFMM) found clear genocidal intent in the state's actions (Gepp 2021). The UN Human Rights chief in 2017 referred to the situation as a 'textbook example of ethnic cleansing' due to the presence of at least one of the four atrocity crimes categorized in the R2P framework (Gepp 2021; Syed 2019). Also, there have been numerous reports of crimes against humanity, including torture of detainees, sexual abuse, and indiscriminate attacks on civilians.

#### **2.7.2.2 Palestine**

The situation in Palestine is an ongoing crisis that serves as a current comparison in which the conflict is the violation of the norms and values that R2P declares to protect. It is not war only; it is impartial acts of aggression, social infrastructure demolitions and mass death by means of imminent starvation now a routine for many years without any termination at all in sight.

A critical and particularly acute manifestation of this conflict is the situation in Gaza. The Gaza Strip, a small and densely populated territory, has been a flashpoint of violence and humanitarian crises for decades. Following the 1948 Arab-Israeli War and the subsequent establishment of the state of Israel, Gaza came under Egyptian administration, while many Palestinian refugees from other parts of the former British Mandate of Palestine settled there. This event sparked the first Arab-Israeli War, ending in 1949, with Israel's victory displacing 750,000 Palestinians and dividing the territory into Israel, the West Bank, and the Gaza Strip (Center for Preventive Action 2024). The rent-less and deadly conflict has persisted for decades.

The Israel-Palestine conflict specifically focusing on the current Gaza crisis has crossed all the threshold of the atrocity crimes happening there. The massacres and genocides happening are not one-day stories. Instead, it has been prolonged even before 1948, and now the October 7, 2023 conflict has been the deadliest among all. The escalation started when Hamas launched a startling offensive involving rocket attacks on Israel and raids on border towns. This offensive

resulted in over 1,300 Israeli deaths, 3,300 injuries, and hundreds of captives. In response to this, Israel responded with a powerful counter-offensive. Following the October 7 attack, Israeli Defence Minister Yoav Gallant referred to Palestinians as “human animals” and threatened to cut off essential water, food, and electricity supplies (Karanth 2023). This statement has been widely condemned as it represents a public threat to deny basic supplies to the population.

The conflict reached its critical point in March 2024, when the United Nations unanimously adopted the resolution 2728 (UNSCR n.d) to stop all the hostilities in the area, yet we have seen no substantial success. The atrocities are happening in their own pace, and the international community is witnessing them. The failure of the resolution was followed by a historic ruling by the International Court of Justice (ICJ) in July 2024, which declared Israel’s presence and activities in the occupied Palestinian territory as illegal and demanded their immediate cessation. However, it was also strongly criticized and rejected by some countries, especially those that supported Israel.

Till date, according to the observation by one of the organizations Save the Children, almost 21,000 children are estimated to be missing in the chaos of the war in Gaza, many trapped beneath rubble, detained, buried in unmarked graves, or lost from their families (Save the Children 2024). In another report, the statistics suggests that Israel has killed more than 14,000 children in Gaza since October 7, while others are suffering from severe malnutrition and do not “even have the energy to cry”, the United Nations Children’s Fund (UNICEF), said in a report earlier this year (Al Jazeera 2024). The recent escalation of the Gaza-Israel conflict highlights the severe humanitarian impact on civilians and is a clear-cut case for genocide and war crimes. The historical and ongoing nature of the Israeli-Palestinian conflict, coupled with the recent intensification, underscores the urgent need for renewed international efforts to address and resolve the core issues of self-governance and human rights for Palestinians.

### **2.7.2.3 Yemen**

The country has suffered from recurrent crimes against humanity and war crimes since 2015 with no substantial effort by the international community to prevent them. The conflict has its roots in the attacks by the Saudi Arabia and the United Arab Emirates (UAE)-led international forces – airstrikes that have killed thousands of civilians, with deaths stemming from fighting between Houthi Forces and armed forces loyal to the internationally recognized government in Yemen since March of 2015. The crisis in Yemen has been lasting more than 20 years but it

went through a sharp turning point in September,2014 when Houthi forces and military units loyal to the dethroned president Ali Abdullah Saleh managed to control dozens of governorates.

According to the Panel of Experts on Yemen, which is mandated by the UN Security Council (UNSC), all sides to the conflict have been engaging in arbitrary arrests and imprisonment, forced disappearances, mistreatment, and torture of prisoners since 2015 (United Nations n.d.). The coalition alone has subjected over 19,200 civilians to death or injury (GCR2P 2024), including more than half of the children killed by airstrikes. At least 4 million have been displaced; it has generated the world's largest humanitarian crisis, with over 18 million people requiring some form of humanitarian aid and protection and over 17 million facing food insecurity (Robinson 2023). The humanitarian crisis in Yemen has said to be the worst followed by hunger and disease as a result of the conflict. All sides to the war are still engaging in abuses and violations of human rights, such as arbitrary detentions, forced disappearances, and torture, in addition to possible breaches of international humanitarian law, such as the targeting of people and the denial of access for humanitarian aid.

#### **2.7.2.4 Syria**

Since March 2011, Syria has been embroiled in an armed conflict between government forces and opposition groups. The protracted crisis originated from President Bashar al-Assad's brutal suppression of protests in 2011, quickly escalating into an internationalized conflict marked by widespread atrocity crimes, including the illegal use of chemical weapons. Since the conflict began, at least 580,000 people have been killed, including an estimated 306,887 civilians from 1 March 2011 to 31 March 2021, according to the Office of the UN High Commissioner for Human Rights (OHCHR n.d). This conflict has caused around 400,000 deaths and mass displacement, profoundly impacted Syria's economy and resulted in dire humanitarian conditions with limited access to essentials. Despite the UNSC passing dozens of resolutions on Syria since 2013, none have been fully implemented, and the Syrian government has directly violated many of them.

Since the end of September 2023, all-hostilities have been waged in north-west Syria with bombing and shelling that has never stopped to hit civilian infrastructure especially the largest power plant for Idlib city schools' hospitals camps displacement markets mosques (GCR2P 2024). According to Human Rights Watch, Syrian forces attacked civilians in at least three towns that were under government control with incendiary weapons and banned cluster munitions has reported that at least 70 civilians have died, along with more than 303 injured

and some 120,000 people displaced from their homes (Human Rights Watch 2023). Despite efforts for peace talks by the international community, diplomatic solutions faltered due to divisions and a lack of progress. Amidst these complexities, the Syrian crisis remains a deeply entrenched and pressing global concern.

It is not the case that these conflict zones do not make up the case for atrocities; they do, but still, we have witnessed the unwillingness of the international community to take action against these atrocities. Who is to blame for the failure to prevent or halt this ugly war, the world's worst continuing conflict? Was there any kind of intervention—and if so, by whom and when—that could have made a difference?

Is the ethnic cleansing and genocide against the Rohingya Community in Myanmar not considered atrocity crimes? Are the decades of conflict in Yemen and Syria not enough to convince the international community to take some on ground action? Moreover, what is happening in Gaza today since the October 7, 2023 incident, where children are just beheaded, and the military forces are just destroying schools, hospitals, and refugee centres, does not come under international attention to take any serious action against these crimes? Also, why the international community was able to take the action in Libya or Ivory Coast, but not in other similar cases? Is the doctrine of R2P working on the principle of selective implementation? The question comes, why is R2P silent here, and why, having an internationally recognized framework to prevent such atrocities, are we still witnessing them daily in millions of numbers?

## **2.8 Unexplored Terrain: Assessing R2P Application in Conflict Zones to Prevent Mass Atrocities**

Even in dire circumstances demanding the invocation of this doctrine, there is a growing failure to utilize it due to the International Community's limitations. This raises the pressing question: why? Why does this doctrine, explicitly created to prevent such crimes, struggle to be implemented effectively? Is there a flaw in the R2P concept, or is it challenging to accurately gauge its effectiveness? This predicament challenges the fundamental efficacy of the R2P doctrine, warranting a closer examination of its practical application and actual impact on preventing atrocities.

As discussed above, there is a gap between the theory and practical implementation of the principle. Even though prevention is at the core of the principle and the principle of R2P also helped build the international community consensus to prevent atrocity crimes (M.Welsh



2016), the reoccurring atrocities in places like Syria, Yemen, and Myanmar, among others, show that the Protection of Civilians (POC) is still generally lacking in many regions of the world and serves as a reminder that there is still more work to be done to strengthen nations' obligations to prevent atrocities within their boundaries. In turn, the UN Security Council's inability to resolve R2P crises speaks eloquently about the controversy surrounding the idea's use.

In his research, Glanville posits that the Responsibility to Protect (R2P) doctrine consists of two norms. The first norm states that every state must prevent atrocity crimes (Glanville 2016). The second norm holds the international community responsible for taking all necessary measures to protect populations from such crimes. According to Glanville, this second norm is the most contentious, and the validity of the entire doctrine hinges on it. The second norm gets questioned the most by international scholars and commentators when invoking this doctrine in conflict zones.

Furthermore, the United Nations has developed a "Framework for the Analysis of Atrocity Crimes", an essential tool of atrocity prevention as it clearly defines what atrocity crimes are and the associated key risk factors. However, the ability of R2P to prevent mass atrocities remains unclear. For example, in the case of Myanmar, over the last ten decades, several instances have led to atrocities and genocidal violence. However, why is the international community still unable to prevent these atrocities? Why is the promise of "Never Again" turned into again and again? (Mennecke and E.Stensurd 2021). These are some of the concerns that make us question the fundamental objective of the R2P framework, for which it was solely formulated.

## **2.9 Conclusion**

After reviewing the extensive literature on the Responsibility to Protect(R2P) framework, several vital contributions and gaps have emerged. Scholars such as Alex Bellamy and Ramesh Thakur have critically examined the international community's historical failures that led to this principle's formulation. The foundational ICISS Report 2000 laid the groundwork, highlighting the shift from state security to human security. The interconnectedness of R2P with the concept of human security was underscored, emphasizing the framework's focus on protecting individuals from threats to their lives and dignity. The literature has also contributed to the need to strengthen the role of the Security Council in implementing this principle. The

present literature also talks about some of the inherent gaps in this framework that become an issue in preventing atrocity crimes,

Despite its global acceptance, atrocity crimes continue to persist, even after the adoption of this principle. Therefore, there is a gap in the literature that addresses the effectiveness of R2P in preventing these atrocities. There is a need for an in-depth analysis of R2P's application in conflict zones and an exploration of the factors hindering its successful implementation. This research seeks to fill this gap and comprehensively delve into the extent to which the framework is sufficient to prevent atrocity crimes. The inherent limitations of this framework undermine the main objective for which it was developed.

## **Chapter 3**

### **METHODOLOGY**

#### **3.1 Introduction**

This chapter of methodology highlights the practices and procedures employed in gauging the effectiveness of Responsibility to Protect (R2P) Framework in preventing atrocity crimes. The crucial research question is derived from the Responsibility to Protect concept, with emphasis on its effectiveness towards stopping atrocity crimes. This is followed by other two secondary research questions that focuses on the success cases of R2P and effective were those implementations in preventing the atrocities. Lastly, it remains essential to consider situations where cases have not been invoked despite meeting the necessary criteria for the implementation of the doctrine.

In conclusion, these research questions will help to analyses the complexities inherent in the framework itself. Through exploring these questions within well-structured methodological underpinnings, this study expects to give valid conclusions based on empirical findings hence contributing greatly towards ongoing debate on real life significance and weaknesses of Responsibility to Protect approach in curbing mass atrocities.

#### **3.2 Deductive Research Approach**

There are two approaches to research, deductive and inductive research approaches. In the deductive approach, researchers start with a broad theory or a general statement and then work their way towards more specific instances (Dudovskiy 2019). Essentially, this approach checks if the general ideas hold true in particular situations. On the other hand, the inductive approach works in the opposite direction. Researchers gather detailed information through observations or data collection first, without any pre-set theory. They then look for patterns and regularities in the data. Through this process, they build up broader generalizations or theories. Inductive reasoning, therefore, involves creating new theoretical insights after examining the collected data, which is fundamentally different from the theory-testing nature of deductive reasoning.

This research design follows a deductive approach with already established concept of the Responsibility to Protect (R2P). Through this deductive approach, the concept of R2P was tested to evaluate its effectiveness in preventing the atrocities.

### **3.3 Qualitative Research**

The research has used qualitative techniques employing both primary and secondary data sources, with the study design being explanatory research. Qualitative studies include interpretation (Strauss and Corbin 1998; Denzin and Lincoln 2003). It is a "multi-approach" that collects information through extraordinary empirical materials, including case studies, interviews, non-public observations, and visual texts.

Moreover, within the context of this research, a case study approach was used to assess primary and secondary records qualitatively. This study's technique is primarily based on the intent as (Yin 2014) specifies that case studies are adequately suitable when "what" and "how" questions are being asked regarding the purpose of the study. This method will help to understand the dynamics and complexities of cases since 2005 and discover the doctrine's effectiveness.

### **3.4 Data Collection**

There are different ways for collecting and analyzing the data, to uncover new understanding of the topic. For this study, both the primary and secondary data collection methods were employed.

#### ***3.4.1 Primary Data Collection***

Primary data is usually considered first-hand or has not been published anywhere. The most common methods of primary data collection involve interviews, focus group discussions, observations, and surveys. For this research, a total of eleven (11) interviews were conducted with different R2P practitioners and academicians worldwide. Also, within this paper, an analysis of official government documents and statements was also performed. The research employed semi-structured interviews, which allowed for a mix of fixed and open-ended questions and encouraged engaging and relaxed question/answer sessions (Adams 2015). This interview structure was followed so that the researcher could ask some fixed questions that directly deal with the subject matter of the research while retaining some flexibility to ask other follow-up questions to the participants' feedback for any clarification or elaboration.

### ***3.4.2 Interview Protocol***

A meticulously designed and implemented interview protocol was also employed with the individuals involved in the study. The interview protocol, as attached in the appendices of the thesis, entailed various components: a comprehensive outline of the research undertaking (information sheet), the consent form including the duration of the meeting, instructions for the participants, and the permission to record the interview, along with the interview questions. Each respondent was allocated a time of 40±10 minutes. After the interview, the audio recorded was transcribed into written form for data analysis and added to the research appendices, demonstrating the meticulous planning and execution of the research process.

### ***3.4.3 Data Sampling***

Sampling is selecting a minor sample representative of a larger population under study. For this research, purposive and snowball sampling methods were used for this study.

#### **3.4.3.1 Purposive Sampling**

Purposive sampling is a method in which respondents are selected based on their relevance and contribution to the study, effectively optimizing limited research resources (Campbell et al. 2020). This method was chosen because the study required participants to understand the Responsibility to Protect (R2P) phenomenon. Moreover, it seeks individuals who have witnessed the application of this principle in real-world instances over the past 18 years. The purposive sampling strategy aligns with the research goal of garnering insights from individuals with specific expertise and experiential knowledge.

#### **3.4.3.2 Snowball Sampling**

On the other hand, snowball sampling, which can be referred to as a network of exchange, was also employed here. This method involves participants recommending other participants from among their acquaintances until data saturation occurs (Naderifar et al. 2017). This method relies on the active participation of the initial participants, who recommend other experts with adequate knowledge of the doctrine of R2P, thereby expanding the scope of the study.

There were 11 targeted people who were sampled using this method. The interviews involved both genders in order to ensure that there was the same number of them as a way of equal representation in the sample. Most interview requests were sent via email or LinkedIn to appeal to participants that had been selected, hence making use of these social media platforms' efficiency and connectivity. It enabled the selection of persons with specific knowledge thus

enhancing depth and misapplying research findings. The following is the snapshot of the list of participants interviewed for this research based on their expertise and relevancy on the framework of R2P.

Table 3.1: *Detailed List of Participants*

<b>Interview Participant (IP No)</b>	<b>Participant Name</b>	<b>Designation</b>
IP 1	Dr Alexander Bellamy	Director of Asia Pacific Center for Responsibility to Protect (APCR2P)
IP 2	Ms. Karen Smith	Special Advisor to UN Secretary General on R2P
IP 3	Anonymous	Special Advisor to UNSG on R2P
IP 4	Ms. Juliette Paauwe	Senior Research and Advocacy Officer at the Global Center for Responsibility to Protect (GCR2P)
IP 5	Dr. Martin Mennecke	Associate Professor at the Southern Denmark University (SDU)
IP 6	Mario Kresic	Vice Dean/ Associate Professor at the University of Zagreb (Teaching theory of law and Atrocity Crime Prevention)
IP 7	Dr. Aidan Hehir	Professor at the University of Westminster, United Kingdom
IP 8	Ms. Jahaan Pittalwala	Research and Advocacy Officer and Coordinator of International Ciolation of Responsibility to Protect (ICR2P)

IP 9	Mr. Jeffery Sizemore	Senior Advisor on Atrocity Prevention at the US Department of State
IP 10	Thomas G Weiss	Presidential Professor at The Graduate Center, CUNY (The City University of New York)/ Director Emeritus of the Ralph Bunche Institute for International Studies.
IP 11	Dr Marianne Hanson	Director of the Rotary Centre for International Studies in Peace and Conflict Resolution at the University of Queensland, Australia

#### ***3.4.4 Secondary Data***

Secondary data refers to the sources that have been already published by someone. For this research, the secondary sources used include research papers, journal articles, and books. Editorial pieces from newspapers and magazines are also part of the secondary source. It was necessary to evaluate these documents to understand the complexities involved in the doctrine and to uncover the challenges that undermine its potential.

#### **3.5 Data Analysis**

The data was evaluated using thematic analysis. The interviews were transcribed and added to the appendices of the research. Notes were made on the initial impression of the data, which helped in coding the data as well as in understanding what the data revealed and how it correlated to the original research questions. The codes highlighted patterns in the data, which assisted in finalizing the main themes of this study.

There are different interpretations of thematic analysis. Boyatis defines thematic analysis as a "qualitative information encoding" process (Boyatis 1998, 10). Thematic analysis refers to identifying, analyzing, and reporting patterns (themes) within data (Braun and Clarke 2006). Whereas Guest, MacQueen, and Namey ascertain, "thematic analysis moves beyond counting explicit words or phrases and focuses on identifying and describing implicit and explicit ideas (Jnanathapaswi 2021). Braun and Clark also outlined a series of phases through which any researcher must pass while conducting a thematic analysis (Braun and Clark 2006). This

procedure allows a clear distinction of thematic analysis. It gives researchers a well-defined explanation of what it is and how it is achieved while maintaining the "flexibility" tied to its epistemological position.

The primary and secondary data were analyzed through thematic analysis by examining and recording patterns (or themes) within the data. The data from the transcribed interviews have been used as evidence to support arguments in the findings section of the paper. Since all interviews have been kept anonymous, coded names have been used when using direct quotations from the transcripts; they are denoted as follows:

- Interviews (Academicians) IP-1, IP-5, IP-6, IP-7, IP-10, IP-11
- Interviews (Practitioners) IP-2, IP-3, IP-4, IP-8, IP-9

### **3.6 Research limitations**

Some of the limitations that this research was exposed to due to the methods employed are as follows.

#### ***3.6.1 Access to participants***

This limitation was most prominent throughout the research as obtaining interviews from R2P practitioners and experts in academia was challenging due to their availability, and difference in time zone due to their presence in the international settings.

#### ***3.6.2 Limited Generalizability***

The qualitative nature and case study approach of this research may limit the generalizability of the findings. While the cases provide valuable insights, the conclusions drawn may not be applicable to all contexts where R2P could be invoked.

#### ***3.6.3 Professional hesitation and Controversy surrounding R2P***

Consequently, a major consideration in this study was that the respondents might have their answers turned in such a way as to make them appear to be more socially acceptable than they actually were. This is particularly sensitive with respect to Responsibility to Protect (R2P) which is extremely sensitive and politically charged. In some instances, participants may consider how their responses may bear on public opinion or what possible effects may result from their responses. As such, caution prevails for various reasons, such as fear of political retribution, damage to one's reputation and the potential for politicization for their reviews.



### **3.7 Data Storage**

The data obtained from the research was stored in a password-protected google drive folder, which was kept updated as the research progressed. The data shall be made available to researchers from the Department of PCS, Center for International Peace, and Stability, NUST upon request.

### **3.8 Ethical Clearance**

Before engaging in the research, the participants were provided with an information sheet outlining the study's objective, accompanied by an informed consent form, which they duly signed.

### **3.9 Research Significance**

This research has great significance because it is addressing global critical humanitarian issues directly to avoid mass atrocities. It discusses the Responsibility to Protect (R2P) framework and its effectiveness thereby providing a way forward for the protection of vulnerable populations in conflict areas. Policymakers and international organizations should take these findings as an opportunity to refine their efforts aimed at averting mass atrocities. The study does this by examining major cases where R2P has been applied, thus providing a basis from which future interventions can learn some lessons.

To sum up, the weighty nature of this research will be seen in how it addresses present-day global issues and possibly influences policies and practices that can enhance the welfare of vulnerable people. By filling this gap, the study provides policymakers and practitioners with valuable insights into the challenges and controversies associated with R2P implementation. The research also contributes to the broader academic literature on human security, international relations, and the Responsibility to Protect doctrine.

## **Chapter 4**

### **FINDINGS AND ANALYSIS**

#### **4.1 Introduction**

The framework of the Responsibility to Protect emerged in response to the international community's failure to protect the genocides in Rwanda and Srebrenica. The literature review demonstrates that research on this doctrine mainly focused on the actors and challenges in implementing the doctrine. Most academic studies have focused on the issue of selective implementation of this doctrine, signifying it as a framework to serve the state's national interest. For all the consensus that exists about its framework as a mechanism to prevent such atrocities, there is a vast gap between rhetoric and reality in how it is carried out where the atrocities are happening. The inadequacy of the implementation calls into question the doctrine's basic legitimacy among the world's nations.

This research employs a qualitative methodology to gather data, aiming to study the effectiveness of the doctrine in preventing atrocities and the inherent limitations that undermine its effectiveness. Eleven semi-structured interviews have been conducted with practitioners and academicians worldwide, providing first-hand information on the effectiveness of the responsibility to protect. This section of the dissertation presents results based on a thematic analysis of the interviews, corresponding analysis, and research conclusions.

This chapter is meticulously structured into three sections, each dedicated to the study's research inquiries. Each section is further divided into two sub-sections, presenting findings from practitioners and academicians, respectively, followed by a comprehensive discussion/analysis. This meticulous approach ensures a balanced and thorough discussion of the research findings and analysis.

A detailed thematic analysis of the gathered data has yielded the following findings:

#### **4.2 (Section) R2P: A Doctrine in Crisis?**

This section aims to provide comprehensive insights into the effectiveness of the Responsibility to Protect (R2P) doctrine in preventing and responding to mass atrocities. It is divided into two sub sections that discusses the findings of the responses obtained from academicians and practitioners.

#### **4.2.1 (Sub Section): Findings from Academicians**

There is no doubt that R2P has gained international significance since its adoption in 2001 by the ICISS, later followed by the United Nations in 2005. Experts on R2P belonging to academia are very disappointed that it was formulated with a promise of Never Again. However, still, it is happening again and again, with no substantial success in curbing the mass atrocities. The interviews with the R2P experts from academia highlighted some major themes significant to the research question being answered in this section.

##### **4.2.1.1 Challenges in Measuring Effectiveness**

While the term responsibility to protect is widely discussed in literature, academic analysis, but it is important to understand whether it's achieving its objectives for which it was purely made. So, in order to understand the effectiveness of any principle or doctrine, it is essential to understand what it was established for. In the case of R2P, it was established in response to the international community's failure to prevent the past atrocities, and the aim was to avoid those past events. However, the persistent occurrence of such crimes since its adoption highlights significant flaws. This argument is supported by one of the respondents who mentioned that R2P is a "spectacular failure" and believes that it has not saved a single human life but has made the bad situations worse. So, judging by any objective measurement, "it has been a complete and utter failure" (IP 7 2024).

For the execution of this doctrine, it is essential to filter it out from any political biasness or interests. As this manipulation of R2P for personal and political gain further undermines its credibility and effectiveness. In this regard, one revealing insight from the interviews is the political exploitation of R2P.

One of the respondents noted:

A lot of academicians and politicians, including various world leaders who wanted to improve their reputation, took the edge of using this doctrine as a means to present themselves to the world as somebody who was worthy of respect or who cared about the human rights, so yes for them it has been a success, but not for the people who are being killed.

(IP-7 2024)

For another R2P expert, who served as the principal actor in formulating the doctrine in ICISS, he mentions that R2P gets very "awful or failing grades" regarding its effectiveness. While

sharing his thoughts, he remarked in the following words, "It is hard to say about the effectiveness of the doctrine when you cannot prove that what you are doing will have an impact" (IP-10 2024). This means that without a specific-criteria it is impossible to prove what you have done prevented atrocities, and if they are prevented, you don't actually know if they would have been the same, better, or worse with no action.

For another respondent, the goal of R2P is not just to stop atrocities; in fact, its goal is also on the prevention side, even before the atrocities starts to begin. Still, many atrocities are happening, and prevention has also failed. He believed that, we as an international community have yet tied too many expectations with the doctrine. It was not a magic formula that would stop all atrocities from 2005 onwards, so there is probably also a wrong measuring stick. This again validates the argument of not having a specific-criteria to measure its effectiveness.

However, one of the most prominent experts in the field of R2P emphasized the significant gap in the implementation of R2P, arguing that the demands placed on the UN are unrealistic. This critique points to a critical flaw in evaluating R2P: With this in mind, we forget that while evaluating any operation, our main focus is whether all the atrocities stopped. He says, "What we do is we are comparing a real-life situation with some fictional alternative reality where everything suddenly turns out okay" (IP-1 2024). This unrealistic benchmark sets R2P up for perceived failure, as the complex nature of international relations and geopolitical interests often hinder the doctrine's implementation.

#### **4.2.1.2 Politicization of R2P**

The R2P doctrine is frequently criticized as being politically driven, serving the interests of powerful states rather than its humanitarian goals. Scholars point out that the permanent members of the UN Security Council (UNSC) often use their influence to protect states committing atrocities due to their national interests. This selective application of R2P, driven by great power politics, double standards, and inconsistency, is a recurring theme in the interviews.

One of the respondents reflected the same observation: "It has been applied in a very selective way reflecting great power politics, double standards, and inconsistency" (IP-11 2024). It means that R2P is very biased in terms of taking action against those that are either Western Countries or protected by Western countries. This finding aligns with whether the Western powers aligned with the UN only support implementing R2P in cases where they have certain interests (Hedzir Omar and Zulkifli 2021). So, it is clear that some cases receive immediate

attention just because they serve the interests of some big players in the international arena, while others receive no attention, just like what is happening in Yemen, Myanmar, or even Gaza.

So, it is the hard reality of the international system that no matter how much you are motivated to protect the peace and security in the system, eventually, everything boils down to the political will. In this case, it is the political will of the P5 members of the Security Council. This political will is also directly related to geopolitics, which stops the international community from taking action in Myanmar, Syria, or Palestine. It is the geopolitics. This is validated by the findings of Dr Alex Bellamy (2012) in his book "Massacres and Morality," mentioned that the relationship between perpetrators and great powers is very important. If the perpetrators have a strong relationship with a great power, be it the US, Russia, or China, they can use their institutional power and material power at the United Nations to protect the perpetrators. It is just the hard reality of geopolitics.

So, to take action effectively, "it takes the convergence of values and interests have got to converge at a specific time and place to get the consensus you need to get action. And that can be a difficult thing" (IP-1 2024). While we can identify structural reasons for the failure, such as geo-politics, political will, and the dynamics of relationships, the complexity of the situations often leaves us unsure about the best way forward. However, one of the most compelling factors for improvement is the urgent need for political agreement among the key players.

Much of the contemporary debate on atrocity prevention and response in the United Nations is based on the current and historical references to the selective implementation of the doctrine. In such cases, we have arguments coming from different scholars that if R2P was a litmus test for Libya in 2011, then why the international community has failed to take action in similar cases like Syria, Yemen, or Myanmar? The answer of course is that neither of these reside within the intersection of the national interest and political will of the Global North (Serrato n.d). This argument is also validated by one of the respondents, all the P5 have engaged in protecting their allies (IP-11 2024). It's pretty clear that these great powers or P5 are pretty much engaged in protecting its allies, and allowing violations to go through unpunished. To sum up, it's all the reflection of great power politics unfortunately, which makes it really difficult to gauge the effectiveness of this principle.

#### **4.2.2 (Sub-Section): Findings from Practitioners**

As far as the practitioners are concerned, they had a quite different view when it comes to gauging the effectiveness of the doctrine. They viewed this principle in the much broader concept, rather than just seeing it from the implementation point of view. Though the practitioners acknowledged that the Security Council and P5 are problematic.

One of the practitioners at the Global Center for Responsibility states:

All member states support R2P conceptually and normatively- and often reaffirm their commitment to protecting populations against the mass atrocity crimes. To move from rhetoric to implementation requires political will, but the response remains selective and ad hoc. The extent to which member states apply and implement R2P depends on its willingness, national interests, and geopolitical dynamics.

(IP-4 2024)

Even despite this acknowledgement, they are still very hopeful about the success and effectiveness of this doctrine, and they believe it should be seen much broader than to what only SC and P5 are doing.

##### **4.2.2.1 Diverse Interpretation of R2Ps Success**

When asked about the effectiveness or success of R2P, the common response was that it has been “successful”. Now, what exactly success means here, is a matter of interpretation. Unlike what academia considers success, the practitioners were positive that the issue for implementation is not something “special in the case of R2P” (IP-4 2024), rather this is the problem with all other frameworks whether it be of human rights promotion or conflict prevention. So why, just associate this implementation issue with R2P only?

Secondly, the respondents acknowledged the fact that it’s hard to measure the “success” of R2P because of the lack of criteria available, but that doesn’t mean the doctrine is a dead slogan with no significance. They were of the view that different human rights institutions with the UN network all use the atrocity prevention framework. Then, a series of national committees act on the principles of Responsibility to Protect. The argument was that although the many resolutions invoked under R2P have not been implemented, they are still working as raising instruments.

However, IP-3, which is working closely with the United Nations on R2P, criticized one element: language use. Whenever we use the word "intervention," it is considered an attack by the states on their sovereignty. The respondent believed that instead of the word "intervention," the word "action" should be used (IP-3 2024). Overall, she believed that if someone says R2P is dead, "she would like to see the dead body of the R2P" (ibid). She argued that despite many problems, be it from the use of language or the security, one that one cannot say, for example, if human rights are violated, they are no longer relevant. Similarly, one cannot say that if atrocities are not protected, then R2P is not relevant.

IP-2, former advisor to the Secretary-General on R2P pointed out that to effectively address the issues, the Security Council needs to be reformed, and the member states must be on the same page while doing a case-by-case analysis. However, as part of the success of R2P, start with the prevention efforts, which is the key indicator of the success of R2P. The same prevention efforts were seen in Kenya and Guinea, further curbing the atrocities from escalating to the extreme level where the decision was much more difficult. Another respondent validated that prevention efforts have successfully reduced the risks (IP-2 2024; IP-9 2024).

#### **4.2.2.2 Effectiveness Beyond Implementation**

Until now, it is very clear from the findings that the hope of R2P still exists for practitioners. The lens for seeing its success must be broadened; one should not see its success in terms of its implementation only, but one should be seen what it is doing at the internal level of this doctrine.

One of the respondents, in the following words, described her opinion on the success/effectiveness of R2P:

How many states are using R2P language during statements in multilateral forums? How many states have included it in official policy documents, domestically and in foreign policy objectives? How many states have appointed R2P focal point- and how many are members of the Group of Friends of R2P in New York and Geneva? How many states have institutionalized R2P and built systematic and institutional frameworks with ministries of justice, interior, or foreign affairs?

(IP-4 2024)

Another respondent validated this opinion by referring to the Group of Friends of R2P based in New York and Geneva. This group has over 50 members, and it is a political grouping of the member states within the UN system that are aligned on this topic. She believes that "R2P as a norm is quite alive because of the activities of the Group of Friends themselves" (IP-8 2024).

As previously mentioned, the recurring themes from the interviews of practitioners underscore the challenges posed by the P5 members of the security council. However, a thought-provoking perspective from these interviews is that international frameworks and doctrines, such as human rights or R2P, cannot work independently; rather, they depend on member states for their decisions. This reframes the issue, highlighting that the limitations are not inherent in R2P as a norm or principle but result from the actions or inactions of the member states.



### **4.3 (Section): Triumphs and Tribulations: Examining R2P's Application in Preventing Mass Atrocities**

This section explores the successful cases of the R2P doctrine as identified through interview responses. It is divided into two sub sections that discuss the findings of the responses obtained from academicians and practitioners.

#### **4.3.1 (Sub Section): Findings from Academicians**

The interviews from R2P experts in academia highlighted some important points regarding the successful cases of Responsibility to Protect (R2P). The point here is not everyone is on the same page when asked about the successful interventions of R2P.

##### **4.3.1.1 The Challenge of Attributing Success to R2P**

It's challenging to determine what can be considered a successful case of R2P. According to one of the respondents, he believes that academic papers suggest the period of 2005 as one of the peak periods of R2P. However, interpretation plays a significant role, and perspectives vary. The interviewee remarked that "This is how it looks by the book; there was the conception, and they applied it" (IP-6 2024). Nevertheless, was it truly effective? He says that, we have witnessed issues arising from the implementation of this doctrine.

Thomas G Weiss (IP-10) compared the situation of its normative development and actual implementation. For him, the norm or conception is great. However, when it comes to giving score to R2P and its effectiveness, he gave very low grades in terms of implementation, "whether its prevention, reaction, or rebuilding" (IP-10 2024). On the other hand, he mentioned another interesting aspect: the international system still complains about the speed at which we implement the "Universal Declaration of Human Rights," approved 75 years ago. So, it is unsurprising that he cannot give better examples of the R2P's success.

IP 7, who was very disappointed about the success of R2P, mentioned, "I do not think it has been a success." He believes that part of the problem is that people who think R2P works are running around trying to find something they can claim as success. However, when you confront them with all the failures, they say, well, that has nothing to do with us.

The same respondent mentioned the "falsifiability test." This is a concept of philosophy in science that refers to the ability of a theory to be tested and proven false. The same respondent has criticized the doctrine for failing the false affability test. His criticism suggests that any shortcomings in its application are attributed to reality, not to the doctrine itself.

He supported this argument with the following idea:

For any theory to be plausible to be taken seriously, there has to be a falsifiability test...R2P doesn't have that because if you say, well, atrocity crimes are on the rise, like in Myanmar, Gaza, Syria, and Sri Lanka...R2P supporters will say, well, none of that counts. It is still alive; it still works. Then, if you ask them, what would it take for you to admit that this thing does not work? They cannot answer that question because there is no answer. They will never admit it.

(IP-7 2024)

However, IP 1 believed that R2P success comes in cases where we do not look at it or even think about it. He supported his argument by giving the example of Southeast Asia, except for Myanmar, comparing its situation to what it was 20 years ago after the Second World War and looking at what it is now.

#### **4.3.1.2 Kenya and Guinea- Mixed examples of R2P**

When asked about the successful cases of R2P, there was no consensus among the academicians. The major response was on Kenya, but again, it was categorized as a case with “mixed success.” One respondent mentions the case in terms of prevention in terms of prevention. This idea is also validated in the book *Responsibility to Protect Twenty Years on* edited by Pinar Gözen Ercan. In the Chapter *Kenya and Guinea: Preventive Strategies in R2P*, the author argues that the atrocities were eventually stopped due to the preventive efforts of the international community. However, again, another respondent, while accepting the case of Kenya as successful in terms of prevention, side by side criticized that in political terms, it is very hard to sell the notion of acting early because how would you prove that had we done nothing, it would have been the same result.

Kenya as a successful case of R2P is acknowledged by many official policy documents such as the reports of the United Nations or even the Global Centre for Responsibility to Protect, and they mention that this is the success of R2P (GCR2P 2020). This notion is criticized by IP 7, with the idea that people sometimes mention Kenya and Guinea as successful cases of R2P. However, the problem is that these tend to be the cases where the international community has come together and put pressure on the government or armed groups to stop the atrocities. Subsequently, the international community claims credit for these successes under the doctrine.

However, he told something from his own experience: He was talking to one of the diplomats involved in the Kenyan situation, the diplomat in the conversation mentioned that, “he had never even heard of R2P. It just was something that they used. It had nothing to do with”. So, because R2P exists, it cannot be credited for anything good that ever happens” (IP-7 2024).

#### **4.3.1.3 Libya- A Controversial Success**

When asked about the purely military intervention case using Pillar 3 of R2P, everyone mentions one case, and that is the Libyan Intervention back in 2011. The Libyan Intervention attracted a great level of controversy, evident in all the literature. However, from the respondents, I got the same point of view that the military intervention was successful to some extent, but later on, how the situation was uncovered poses great challenges. This is also validated by few scholars that initially it was a great success, providing the best example of how you could act decisively to protect the civilians (Hilpold 2012; Weiss 2012). Judgements soon shifted due to NATO’s overreach in pursuit of regime change combining with domestic and international failure to ensure the post-intervention stabilization of the country.

In response to this, one of the respondents mentioned that initially, it was a success and prevented the atrocities from happening, but afterward, the situation deteriorated. The question here is how you view the potential limits of R2P. In response to this, he gave the following arguments (IP-5 2024).

- Some people say that Western countries that intervened failed to rebuild Libya, but that is based on a misunderstanding because the R2P norm developed at the UN in 2005 doesn’t entail the idea of Responsibility to Rebuild, which was part of the R2P version written in 2001 into the ICISS Report.
- Secondly, the international intervention ultimately led to the overthrow of Gaddafi. If you have to stop the genocide or the atrocity crimes, then it might also be necessary to overthrow the regime that was responsible for those crimes.

On the other hand, another respondent criticized the idea that military Intervention in getting the atrocities proved successful. However, again, the idea of not having rebuilding responsibility as part of the authorization to intervene was a really important absence. Likewise, Bellamy proposes that Libya was an exceptional case insofar that, “there was the extraordinary clarity of the threat of mass atrocities. Not since Rwanda has a regime so clearly signalled its intent to commit crimes against humanity” (Bellamy 2011, 265). A more sceptical opinion

regarding the success of the intervention in Libya is the one articulated by Hehir, who underlined that the interventions with in the Security Council are in constant inconsistency. Moreover, the fact that sometimes the context and the interests of the international community align doesn't represent a solid basis for the success of future possible interventions, (Hehir 2013, 158). He further argues that there was the same inconsistency observable within the response of the international community in recent crises as during the 90's, before the creation of the R2P norm.

#### **4.3.2 (Sub Section): Findings from Practitioners**

##### **4.3.2.1 Success of R2P in Preventive Measures**

From the practitioners' perspective, the most commonly cited success cases of the Responsibility to Protect (R2P) doctrine are Kenya and Guinea under preventive measures, with an exception of Gambia. However, assessing the success of R2P is complicated, as such doctrines do not possess their own agency to make decisions; instead, member states choose when to frame a certain step as exercising their responsibility to protect.

One respondent highlighted Kenya and Guinea as prime examples of R2P's successful implementation. These cases demonstrate success under preventive measures, particularly when regional organizations collaborated and sent mediation teams to resolve the conflicts. Another interesting aspect she mentioned is that just because a member state does not explicitly label their actions as exercising responsibility to protect, it does not mean they are not viewing it as such. She argued that identifying the success of R2P is challenging because it is often not mentioned explicitly, but policymakers are aware as such discussions are part of their strategy.

IP-9 noted that Kenya and Guinea represent good cases for the success of R2P but cautioned against viewing success as a total, immediate resolution where everything is resolved perfectly. This is not the nature of this work. Similarly, IP-2, a former advisor to the Secretary-General on R2P, also acknowledged Kenya and Gambia as examples of the doctrine's success.

However, regarding the case of Gambia, there is also a debate among the scholars about the legality and illegality of the military intervention by ECOWAS at the later stage of the conflict. The UNSC passed the resolution 2337, in the case of Gambia expressing its full support for ECOWAS' quest "to ensure, by political means first," that "the will of the people of Gambia expressed in the results of 1st December elections" is honoured. He however noted that the UN Security Council did not endorse military action according to Chapter VII of the UN Charter. The author (Beatrice 2019) argues that ECOWAS also failed to meet the requirement for the

application of Responsibility to Protect (R2P) in Gambia, by not taking prior authorization of the UNSC before using the force. However, this argument was negated by the IP-2 by saying that “Instead of ECOWAS waiting for the debate to happen and the discussions...and the vetoes in the security council, it kind of went ahead and did it. So that might something to look at future as well” (IP-2 2024).

#### **4.4 (Section): Beyond the Threshold: Why Did R2P Fail to Activate in These Crises?**

This section examines cases where the R2P doctrine failed to be implemented despite meeting the necessary threshold for atrocity crimes. It highlights the inherent limitations in the doctrine's implementation. The section is further divided into two subsections, which discuss the findings from the responses of academicians and practitioners.

##### ***4.4.1 (Sub-Section): Findings from Academicians***

The doctrine made to protect against mass atrocity crimes today faces a huge gap in its implementation. A thematic analysis of the gathered data revealed the following subthemes.

##### ***4.4.1.1 Selective Enforcement of R2P (Myanmar and Gaza)***

The respondents highlight specific instances where R2P has been deemed unsuccessful, particularly in Myanmar and Palestine, particularly Gaza. These cases exemplify the doctrine's inability to prevent or respond effectively to mass atrocities in certain contexts. Myanmar and Palestine were the most common responses about the failure to implement R2P, especially the recent October 7, 2023 Gaza Crisis. As one respondent noted, the situation remains static. There has been no progress in terms of new laws, procedures, or processes, and what was applicable in the 1970s, 1980s, or 90s is still the status quo today.

However, IP-1 responded to the cases of Myanmar and Palestine through different lenses. In both cases, he even compared the situation with Syria, saying that in all these cases, you don't have legitimized effective political actors representing the group. So, one of the problems in Gaza is Hamas? Who wants to deal with Hamas? One of the problems in Myanmar is that you do not have just one sort of legitimate opposition group; you have a lot of different ethnic armed groups.

##### ***4.4.1.2 Ineffectiveness of R2P***

To analyze the ineffectiveness of R2P in responding to the atrocities, one of the respondents used the phrase "R2P had no teeth" (IP-7 2024). The logic behind this use of words is that it was just bogus from the beginning and not going to work out within the presence of some big players in the system. It was meant to sort out the issues with the collective assistance of the international community. However, the only thing that will get states to do something is a cost-benefit analysis. If they think the costs of not doing something are too high, they will do it. He again argued that "these countries have become more powerful, and they can just dismiss things

like R2P" (IP-7 2024). Another respondent gave the same logic that "let us face the harsh reality that R2P can work where major powers are not involved" (IP-10 2024).

One of the respondents criticized the like of R2P on many activities in the following words:

R2P's lack of silence on many activities protected by Western states has ultimately led to claims that it is biased. It is only upheld when the West seeks to uphold it, and many countries are now quite disillusioned with it.

(IP-11 2024)

For her, R2P's capability to have a practical effect requires physical action, which is hindered by some of the world's major players.

#### **4.4.1.3 Systematic Issues of Security Council**

One of the major issues that almost everyone talked about is the Security Council's internal dynamics, which suggested that it needs to be reformed to have some fruitful action. The dynamics of the Security Council protecting the interests of the permanent members, which are the great powers in the world, act as a hindrance in almost all cases where the R2P failed to be invoked.

One respondent described the situation by giving the reference to Myanmar, that it is very clear that the government is engaged in mass atrocity crimes. However, on the other hand, the government is also friendly with a permanent security council member.

According to my respondent:

You are not going to get any leverage against that particular state. Look what the US is doing in Gaza today; it can soak up so much shame and criticism before it will change its position. So, in the end, it is the great power politics within the Security Council.

(IP-7 2024)

However, in this context, one of the respondents mentioned that due to the geopolitical nature of the international system, the Security Council has veto power, and the aim was not to stop small states fighting small states; in fact, the aim was to stop big states fighting big states. Moreover, they have been largely successful since 1945, with several near misses. He described

the situation in the following words: "You have not had any major conflict between the big powers" (IP-7 2024).

In the same manner, IP-10 criticized the actions of the Security Council and opined that the Security Council is powerless to take any action where these great powers are involved. For the same reason, it has not yet been able to take any solid on-ground action in Gaza or even Myanmar. It is not the case that the Council ignores all the facts and figures, but it certainly does not move ahead and act very quickly.

The issue of veto power in security council was also discussed in the interviews. The respondents argued that the UN Charter introduced the veto for two good reasons. One that neither the United States nor the Soviet Union would have approved the UN Charter had the veto not been there. The second reason is that international action should not make matters worse.

In this regard, for one of the respondents if somehow the UNSC would take action against the Chinese in Myanmar or the US-Israeli coalition in Gaza, "you would have a major war on your hands instead of just an awful local suffering and war" (IP-10 2024). However, only one of the respondents, IP- 5, expressed a slightly different view than others. For him, not every blame has to go on the security council and the P5 involved in it. He was of the view that in 2005, every member state committed to working with this idea of the responsibility to protect, so the contribution and efforts lie on both sides.

Lastly from the experience of IP-8, she discussed one interesting aspect regarding the situation in Myanmar.

In the case of Myanmar:

We saw absolute paralyses, total paralysis. And this is what happened with Syria but at least Syria was on the agenda. But getting even the council to even discuss Myanmar, forget even it in open setting or behind the closed doors, it's been extremely challenging.

(IP-8 2024)

So, the same shackles on the system that exists no matter what the situation is. It really just boils down to the political will.



#### ***4.4.1.4 The Influence of Geopolitics***

The issue among the big players is directly linked to the geopolitical interests and strategies of the world's major powers, which often dictate the Council's actions or inactions. This leads to selective enforcement of R2P and inconsistent application across different conflicts. One respondent mentioned, "Countries look at the situations from a geopolitical point of view, not a humanitarian point of view" (IP-7 2024). Another respondent also agreed on the same line of logic in the case of Myanmar and Palestine; geopolitics is a common consensus in both cases (IP-1 2024). The dominance of geopolitical considerations within the Security Council undermines the foundational humanitarian principles of R2P. When the strategic interests of powerful states drive decisions, the core objective of protecting vulnerable populations becomes secondary. This not only hampers the effectiveness of R2P but also erodes trust in the international community's commitment to upholding human rights and preventing mass atrocities. For example, the reluctance to address atrocities in Myanmar and Palestine is heavily influenced by the geopolitical alliances and interests of Security Council members rather than an impartial assessment of the humanitarian crises.

#### ***4.4.2 (Sub-Section): Findings from Practitioners***

##### **4.4.2.1 Failures in Upholding R2P Commitments**

When asked about Palestine's cases, one respondent, IP-8, strategically explained that the risk of atrocities existed long before the October 7, 2023 escalation. Responsibilities under R2P's Pillar 1 (state responsibility), Pillar 2 (international assistance), and Pillar 3 (timely and decisive response) were relevant well before this specific conflict. The international community's failure to uphold these commitments is primarily due to the will of member states, particularly those with strong geopolitical aims and significant power within the Security Council.

She also criticized the concept of moral courage, suggesting that the spirit of R2P can only be upheld if member states demonstrate moral courage by taking necessary steps. She highlighted that member states are often easily persuaded to maintain the status quo, even if it means populations continue to suffer from genocide or mass atrocities.

Another participant echoes this perspective, IP 3, who pointed out that the absence of R2P in Palestine is not a recent issue but a long-standing failure to implement international law. For more than 50 years, there have been persistent violations of international law, yet the international community remains largely silent. The problematic understanding of R2P post-

Libya has caused hesitation among states to take action, particularly under military measures, despite R2P encompassing a range of rights and means beyond military intervention.

Another former advisor to the UNSG on R2P emphasized that states are reluctant to invest in preventive measures due to difficulty assessing their benefits. This reluctance is compounded by states prioritizing their interests over preventive actions. Regarding Pillar 3, every decision must pass through the Security Council, where the lack of political will from any P5 member can obstruct action. This structural issue within the Security Council, driven by geopolitical interests, continues to hinder the effective implementation of R2P.

## 4.5 Discussion

The responsibility to protect norm emerged at the beginning of this century with an aim to respond to the gravest violations of human rights in the form of mass atrocities and the enhancement of humanitarian interventions without trespassing on international sovereignty. The focus of these interventions is to protect the civilians and halt the conflicts. Since its formulation, there is a gap to what was written in the theoretical foundations to what is actually happening in reality. Over the last 19 years, there has been an increase in human rights violations and mass atrocities, indicating that R2P has not been as effective as hoped.

The thematic analysis of the data gained from the interviews with the different R2P experts worldwide, in the form of academicians and practitioners, revealed different point of views regarding its effectiveness and the practical implementation. Its success is simply a matter of interpretation. As a result of the findings above, it can be argued that there is a small divide between how academia perceives the success of R2P as a norm versus how the practitioners witness it in real-time within the UN and the multilateral systems. The common point that emerged is that they both acknowledge that the implementation problem lies within the security council and the P5 members, but still when it comes to the effectiveness of the doctrine, practitioners in this field are much more hopeful.

One side of academicians claimed that, the success of R2P cannot be defined, as it is an utter failure and just protecting the interests of some big players in the international system. This perspective is based on the argument that R2P has not been effectively implemented in many cases, leading to a lack of trust and belief in its effectiveness. Within, this there was another divide, that we as an international community has kept too many expectations with this doctrine, it's not a magic formula that was developed to make everything perfect, but rather the sense of responsibility to protect the civilians from the dangers of the atrocities can be contributed as one element of the success. So, in simple terms it means, the normative development was great, the conception was great, but the issues lie with its actual implementation.

On the other hand, the practitioners in this field are still very hopeful about its success, and for them the doctrine is still at very high bars. For example, in one of the interviews, a practitioner at the Global Center for Responsibility to Protect expressed optimism about the doctrine's potential, contrasting with the view of some academics who consider R2P to be 'dead'. Most practitioners argue that one should use a broader lens to measure the success of R2P. Success

is not just related to a mere implementation of this doctrine and taking on-ground actions; rather, success is also how many institutions use this framework to improve their policies or how many states use the language of R2P in their domestic and foreign policy. So, success should also be seen in raising awareness about the instrument. They also argued that this implementation problem is wider than the Responsibility to Protect doctrine. In fact, other protection agendas, such as the Universal Declaration of Human Rights or any other agenda, also face the same implementation issue, so one must not question the validity of the doctrine based on this issue.

But one such interesting aspect is the comparison of experience among the practitioners and academicians. For people in academia, their valuations might be shaped by the rigorous analysis of historical cases, focusing on where R2P failed to or prevent atrocities. On the other hand, practitioners are directly working in the fields like humanitarian aid, conflict resolution, or international justice could give them firsthand experience with R2P's on the ground impact. They might witness how R2P frameworks shape national policies, or influences dialogues. For this same reason, practitioners might see value in the R2P's role as a catalyst for dialogue even if it doesn't always lead to immediate, visible action.

On the question of what are the successful interventions of R2P, and how successful were those in preventing the atrocities, also showed some disparity in the views of the participants. While in the literature or academic papers, it is clearly evident that the period of 2005 was great with the cases of Kenya, Guinea, in terms of the success of R2P, and the pendulum started to swing backwards after the Libya intervention in 2011.

On the other hand, the data from the respondents revealed ambiguity in defining and measuring success cases, coupled with the political and legal complexities, underscores the challenges inherent in evaluating R2P. There is not a single case while there is a consensus among academicians and practitioners in defining the successful cases of R2P. They have mentioned few cases like Kenya, Guinea or Gambia but contradictions exist to the extent how much they perceive those cases to be successful. Secondly, it is important to note the reason why the practitioners didn't quote much about the successful cases of R2P, as they view the success of R2P in the much broader sense rather than just from the angle of implementation and preventing atrocities.

The results demonstrate a common point of consensus between academicians and practitioners and that was the issue within the dynamics of the Security Council. For both the practitioners

and academicians, the problem lies with the security council, and it boils down to the political will of these member states. Many have suggested for the reformation of the security council, but it's like a dream to do and we would be living in very idealistic world, if this really happens. The argument is why would someone want to give their power in someone's own hands, when they know that through this power they can control the entire politics of the world. For the same dynamics within security council, it has been very challenging to implement R2P in the cases which are in the dire need of implementation.

From the findings above, academicians and practitioners were on the same page regarding non-implementation of R2P in Myanmar and Palestine, especially the Gaza escalation. However, the analysis shows great criticism of the lack of the Security Council to act in the interests of the suffering states rather than putting their interests first. In the case of Myanmar and Gaza, the absence of the doctrine makes a huge question of the fundamental validity of the doctrine. However, according to some practitioners, it is not the question of the doctrine's validity but the question of the people guiding it. As defined previously, such protection agendas do not have their agencies, so they must rely on these member states to decide for them.

However, from my perspective, if we consider the current situation in Gaza, where Israel is conducting attacks on children and hospitals, it raises the question of why no one is stopping them. Despite the existence of the R2P doctrine and the clear threshold of war crimes and genocide being met, the international community remains silent and inactive, unable to take any effective on-ground action.

Recent developments, such as UNSC Resolution 2728, illustrate the challenges of implementing R2P. This resolution faced criticism from powerful states backing Israel, highlighting a significant obstacle: the geopolitical interests of influential nations. This situation raises critical questions about whether R2P was designed to genuinely protect vulnerable populations or if it serves the interests of major powers. The discrepancy between the doctrine's principles and its application suggests that political considerations often override humanitarian concerns, undermining the effectiveness and credibility of R2P.

The situation in Gaza, similar to those in Myanmar, Syria, and other conflict zones, reflects decades of impunity. These long-standing disputes have persisted for decades without any substantial on-ground action. This lack of action highlights a significant flaw in the international system: the inability to enforce resolutions effectively.

One analysis to consider is the inherent delay and inefficacy of resolutions. Even if resolutions had been passed two years earlier, they likely would have faced vetoes, perpetuating a cycle of inaction. This cycle underscores the entrenched nature of the international system and the dynamics of the Security Council, where the interests of powerful states often dictate outcomes.

The international system is not a monolith; it cannot mobilize itself overnight. Its structure and the competing interests within it often hinder prompt and effective responses to crises. The case of Gaza and Myanmar exemplifies how political considerations and power dynamics can paralyze the international community, preventing it from upholding principles like the R2P doctrine. This ongoing impunity calls for a critical examination of the international system's capacity to address and resolve atrocity crimes, highlighting the need for reforms to ensure timely and decisive action.

Based on the analysis presented above, the major defects in the R2P framework can be summarized as:

1. Although states recognize and accept R2P as a new global norm aimed at addressing atrocity crimes, it remains more of a political doctrine than a legally binding principle. This lack of binding character means R2P lacks the institutional agency to make decisions for the collective good. While the adoption of Security Council resolutions based on the Responsibility to Protect is a significant step toward recognizing R2P as a legal norm, the ultimate decision lies with the law-applying organs, that sells their decisions politically. This limitation underscores the gap between R2P's aspirational goals and its practical enforceability.
2. Its application does heavily depend on the political will of members of the United Nations, especially with the Security Council. The P5 members of the Security Council, in this regard, do play their role as great actors in identifying the situation where they have to invoke the doctrine or take any physical on-ground action. For example, the cases regarding Myanmar and Gaza, which were actually elaborated in my thesis, show that unless we have support inside, it is impossible to enforce any action effectively wring with R2P, and it will be only possible to provide support of the verbal kind.

3. One of the major problems is the tendency to depict R2P as a concept whose implementation is too geopolitically motivated rather than based solely on humanitarian considerations. Looking at how the international community responds to the stages ranging from massive human rights violations to atrocity crimes, one may notice rivers of blood before all the cracks. Even when it is a question of protecting civilians and combating mass atrocity, the fact is that the world's pecking order remains acutely fierce and in conflict with the global humanitarian imperative.

However, one surprising revelation from the research data focuses on the main essence of this research, which is how effective this doctrine is in preventing atrocity crimes. From analysing the secondary and primary data, the one prominent factor that the research came across, which was also validated by the respondents' responses, is that no clear metrics or criteria are available to measure the success of atrocity prevention. Undoubtedly, we have a framework for analyzing atrocity crimes developed by the United Nations, but on what grounds should we make sure that the implementation of the doctrine was successful? Is success just focusing on short-term impacts like the immediate cessation of the atrocities, or should success be considered with long-term impacts? This is the same reason that there has been a diversity of opinions regarding the success and effectiveness of the doctrine since its adoption.

For example, while the Libyan intervention initially seemed successful, the ensuing instability and human rights abuses highlight the shortcomings of short-term evaluations. Similarly, preventive measures were taken in Kenya in 2008, but still, the country is at risk of the atrocities. Was the designation of Kenya as a "successful case" in the literature based solely on the initial prevention of atrocities?

This lack of clear criteria means that this doctrine is just acting on an abstract basis, in which we need more criteria for success, resulting in inconsistent evaluation and implementation. The absence of holistic and context-specific criteria makes it difficult to justify interventions, ensure accountability, and refine strategies for future actions, becomes a daunting task. Most assessments are ad hoc, focusing on immediate outcomes like preventing violence without considering long-term impacts.

In order to improve assessments of R2P and hold appropriate actors accountable, there needs to be clearer benchmarks detailing what constitutes success across different dimensions. This, in turn, would enhance the credibility and legitimacy of the R2P doctrine, making it a more effective tool for preventing and responding to atrocity crimes. In that case, the experts and

practitioners will come on the same page when asking about the overall effectiveness of the doctrine, as without such criteria, the debate on the effectiveness of R2P will continue, providing much more complexity in its implementation process.

#### **4.6 Limitations**

Despite the best efforts to conduct a comprehensive analysis of the Responsibility to Protect (R2P) doctrine, several factors limit the generalizability of the findings. The research included diverse perspectives from academicians and practitioners, incorporating a range of experiences and viewpoints to ensure a balanced understanding of R2P's effectiveness. This diversity helped mitigate bias and provided a wealth of insights.

Additionally, the study faced challenges related to the selective nature of R2P application and the geopolitical influences on its implementation. Focusing on high-profile cases such as Libya, Kenya, Guinea, Myanmar, and Palestine provided valuable insights but it also meant that other relevant cases might not have been fully explored. Lastly, it was difficult to assess the effectiveness of R2P without having a clear and standard criteria for measuring its effectiveness. This absence of a holistic evaluation framework limited the ability to draw definitive conclusions about R2P's impact across different contexts. Despite these limitations, the research offers critical insights into the challenges and potential of the R2P doctrine, highlighting the need for ongoing evaluation and reform to fulfil its humanitarian objectives better.

#### **4.7 Conclusion**

While exploring and analysing some depth about the Responsibility to Protect (R2P) framework, this research reveals considerable challenges and criticism in its applicability and implementation as a spotlight. A significant concern is the measurability of this framework in a unified fashion. With no specified criteria, levels, or developed scales to mark the level of success of the R2P in atrocity prevention, its credibility and effectiveness come into question. This leaves effectiveness levels of R2P solely subject to one's interpretation by governments, involved parties or any organization. Not only that, but this also progresses into developing conflicting views of parties and stakeholders about a case of R2P blinded by their closed vision and self-interests. In retrospect, having felt a need to protect vulnerable populations and provide them with legal status by developing a dedicated framework of action is a testament to the foresight and vision of the international community. Decoding this vision into an actual reality



to benefit from remains a daunting task that needs to be performed well. However, not doing so makes it seem like a foggy dream with small beacons of hope for good to come ahead.

A tremendous weak spot for R2P is the inconsistency with which it is applied. In Libya, R2P was imposed, which later misled into attracting a controversial situation. Likewise, R2P was imposed in Ivory Coast but not in similar or even worse humanitarian conditions in Syria, Yemen, Myanmar and others. Such an inconsistent approach towards R2P's application poses many questions, whether it is with the application of the framework or about those in charge of applying it in any of the demanded situations.

Besides focusing on several challenges and criticism, this research also highlights some positive aspects of R2P and mentions some areas for improvement in the Responsibility to Protect framework. Working on the aspects of R2P's application, this research reveals that dealing with certain aspects of this doctrine, specifically the Security Council reformation, could be more effective, but getting that on the ground is tricky. Practitioners and experts, however, in the field of R2P have emphasized broadening the scope and lens for assessing R2P's effectiveness criteria to measure and get the success ratio of R2P, considering not only immediate outcomes but also the doctrine's role in shaping national policies and influencing international dialogue. In cases like Kenya and Guinea, their regional organization's involvement in building peace demonstrates the likely potential of collaborative efforts yielding favourable outcomes, which can be practised more to enhance R2P's effectiveness.

Overall, R2P would be far more effective and have resulted in better results if its shortcomings were addressed. At first, the doctrine's applicability must not be seen only in the military context but instead focused on Pillar 1 and 2 of the doctrine through non-coercive measures involving parties and stakeholders. While doing so, R2P's base pillars should be focused on a proactive approach, such as developing early warning systems by depicting any chances of a severe conflict. It must also focus on capacity building within states and invest in getting the international community's better assistance in this effort at times when needed. Secondly, the focus should be on a unified lens in viewing R2P's success criteria and evaluation, which, if developed at times, would have yielded better results than the present. R2P, in assessing its effectiveness, requires a clear set of standardized criteria that would lead towards consistent assessment. The contrasting views and controversial situations in cases like Libya and Kenya depict how difficult it could be to balance short-term outcomes against long-term stability.

The present ongoing debates and dialogues among academicians, practitioners and experts are right on track to equip R2P for best providing humanitarian response by effectively dealing with mass atrocity crimes. Primarily acknowledging its limitations, accepting them, and then working proactively to transform R2P into a robust framework of action is a significant success followed by a transformed framework that could be implemented effectively for humanitarian response. The emphasis here is on making things work out quickly for humanitarian response, especially regarding R2P, to make people feel safe and less vulnerable.

To sum up, this research highlights the dire need for political will and moral courage for states, governments, and actors in the international community to abide by principles and uphold the mission of transforming R2P into a practical framework of action. Additionally, some other areas, such as transforming the structural hierarchy within the UNSC, establishing a clear criterion for evaluating success in atrocity crime prevention, and having a more inclusive and equitable approach towards humanitarian intervention, are essential for witnessing the true potential of R2P.

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## APPENDIX A

### PLAGIARISM REPORT

Memoona Nasir\_Thesis(00000401755)\_Supervised by Dr Humaira Shafi.docx

#### ORIGINALITY REPORT

<b>17%</b> SIMILARITY INDEX	<b>12%</b> INTERNET SOURCES	<b>13%</b> PUBLICATIONS	<b>6%</b> STUDENT PAPERS
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<b>1</b>	<b>Submitted to University of Melbourne</b> Student Paper	<b>1%</b>
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<b>4</b>	<b>www.globalr2p.org</b> Internet Source	<b>1%</b>
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<b>8</b>	<b>Submitted to Leiden University</b> Student Paper	<b>&lt;1%</b>



## **APPENDIX B**

### **INTERVIEW CONSENT FORM**

I volunteer to participate in a research project conducted by Memoona Nasir under the supervision of Dr Humaira Shafi Awan from the National University of Sciences and Technology. I understand that the project is designed to gather information about the Responsibility to Protect as a phenomenon and its effectiveness in preventing the four atrocity crimes. I will be one of approximately 11 people being interviewed for this research.

1. My participation in this project is voluntary. I understand that I will not be paid for my participation. I may withdraw and discontinue participation at any time without penalty. If I decline to participate or withdraw from the study, no one on my campus will be told.

2. While most interviewees will find the discussion interesting and thought-provoking, if at any point during the interview session, I feel uncomfortable, I have the right to decline to answer any question or to end the interview.

3. Participation involves being interviewed by researchers from NUST. The interview will last approximately 40-45 minutes. Notes will be written during the interview. An audio tape of the interview and subsequent dialogue will be made, unless otherwise. Audio tape will only be made after consent.

4. I understand that my confidentiality as a participant will be ensured, and the researcher will not identify me by name in any reports using information obtained from the interview. Subsequent uses of records and data will be subject to standard data use policies that protect the anonymity of individuals and institutions.

5. The data collected during the study will be stored appropriately to ensure confidentiality. There will be no one present during the interview and only the researchers, their supervisor, and the participants (if they request access) will have access to the transcripts and data.

6. I have read and understood the information sheet provided to me. I have had all my questions answered to my satisfaction, and I voluntarily agree to participate in this study.

7. I have been given a copy of this consent form.

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My Signature

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Date

---

My Printed Name

Investigator signature

For further information, please contact:

Memoona Nasir

Email: [memoonanasir119@gmail.com](mailto:memoonanasir119@gmail.com)

LinkedIn: [www.linkedin.com/in/memoona-nasir](http://www.linkedin.com/in/memoona-nasir)

## **APPENDIX C**

### **INFORMATION SHEET**

In the complex landscape of international relations, the framework of Responsibility to Protect (R2P) has emerged as a critical paradigm that addresses the need to prevent and respond to the gravest crimes of humanity, also known as atrocity crimes. The foundational basis of this principle was rooted in the international community's failure to prevent events such as the Rwandan Genocide and the Yugoslav War. At its core, R2P seeks to safeguard populations from atrocities such as genocide, war crimes, crimes against humanity, and ethnic cleansing.

Despite its international recognition of the need to prevent atrocity crimes, a significant gap remains in the theoretical framework and practical implementation of this principle in conflict zones. The occurrences of atrocities in various countries outnumber the instances where the Responsibility to Protect (R2P) doctrine has been applied to prevent these crimes.

Even in dire circumstances demanding the invocation of this doctrine, there's a growing failure to utilize it due to the International Community's limitations. This raises the pressing question: why? Why does this doctrine, created specifically to prevent such crimes, struggle to be implemented effectively? Is there a flaw in the R2P concept, or is it challenging to accurately gauge its effectiveness? This predicament challenges the fundamental efficacy of the R2P doctrine, necessitating a closer examination of its practical application and its true impact on preventing atrocities.

There is a need for an in-depth analysis of R2P's application in conflict zones and an exploration of the factors hindering its successful implementation. This research seeks to fill this gap and comprehensively delve into the extent to which the framework is sufficient to prevent atrocity crimes, and what inherent limitations of this framework undermine the main objective for which it was developed.

## **APPENDIX D**

### **INTERVIEW QUESTIONS**

1. How would you assess the overall effectiveness of the R2P doctrine in preventing and responding to mass atrocities since its adoption in 2005?
2. From your perspective, what are the key indicators of success when evaluating R2P interventions in preventing mass atrocities?
3. There are indicators to measure the overall success of the implementation, but the primary goal of the Responsibility to Protect (R2P) is to prevent four specific atrocity crimes. Are there any criteria available to measure success in specifically preventing these crimes?
4. Can you share instances where R2P interventions were particularly successful in protecting civilians and preventing mass atrocities?
5. What factors do you believe contributed to the success of these interventions?
6. In your opinion, what factors contribute to the failure of R2P interventions in conflict zones? (As there is an unequal distribution in the application and implementation of the doctrine across the international system so--)
7. From your experience, can you elaborate what has been so challenging in getting to the implementation phase?
8. How has the ongoing conflict in Palestine posed challenges to the effectiveness of the Responsibility to Protect (R2P) doctrine, particularly considering the absence of any R2P intervention in the region thus far?
9. In the current scenario, does this specific case raise questions about the validity of the doctrine?
10. From your experience, what lessons can be learned from past instances of invoking the R2P doctrine to improve future responses to mass atrocities?
11. In your perspective and given the above discussion, what do you think UN should do to increase the effectiveness of the Responsibility to Protect (R2P) doctrine in the future?

## APPENDIX E

### INTERVIEW TRANSCRIPTIONS

#### *Interview Transcript 1*

##### **Interviewer**

So, I will start with some basic questions and then I will move to more focused and more narrow question and I would also like you to, well I will tell you that in the end of the interview. So how would you overall assess the effectiveness of R2P in preventing and responding to atrocity crimes since adoption in 2005?

##### **Dr Alex Bellamy**

So straight to the big question. So, it's really, it's a difficult, it's a difficult question because we've got to think about what do we, what do we mean by R2P and what do we think effectiveness looks like. So R2P is a, is a political principle or a political agreement. It's, it's not a thing that acts.

It doesn't control a state, it doesn't control the UN, it doesn't have, so it's a principle that came into being precisely because the world wasn't doing a very good job in preventing atrocity crimes. So, it's born of the failure of the international community in the past and a sort of shared recognition that we want states and the UN and regional organizations to do a better job. Now how has R2P fared since then? I think there's two stories.

One is the sort of the normative ideational story of my sense is that R2P has succeeded in becoming kind of embedded as a shared norm. And by that, I mean not that we always act in accordance with R2P because we don't, but that is our shared aspiration. That when we look at atrocity crimes happening in the world, most states and most people think two things.

One, those atrocity crimes shouldn't be happening and two, the world should be doing something about it. When we look at the UN, most governments and most people in the world now think that

## *Interview Transcript 2*

### **Interviewer**

From your perspective, what are the indicators of success when evaluating R2P's intervention in preventing atrocity crimes?

### **Karen Smith**

So, it's a mixed bag, right? I think we've had some, there have been some successes, but they're maybe not that well known, right? So, I think that's maybe where the problem lies, that the kind of bigger situations that are in the news, that are well known, those are the ones where we haven't really seen success. But of course, it also depends on how you define success, right? And so, I think, I think it depends on whether you've, you know, think about R2P as essentially being important for response. So, responding to atrocities versus, you know, there's been a much, much more focus on the prevention side of R2P.

And so of course, one could argue, well, if you take that into account, there have been many more successes, but of course, they're difficult to prove because of the nature of prevention, right? So of course, if you prevent something, it's difficult to then afterwards kind of counterfactually say, you know, this could have happened, or this would have happened. And so, in that sense, I think, yeah, it's a, it's a, it's a kind of a mixed bag, also depending on, you know, how you, how you define success.

### **Interviewer**

Yeah, you're saying that it totally depends upon the nature of the conflict and circumstances the UN faces there, or the peacekeepers faces there. So, it totally depends upon that.

### **Karen Smith**

And maybe, maybe if I can add to that, I mean, just your comment earlier. Just to go back to your points about Libya, again, right, it's about, you know, how do you define success there? So, I think if somebody like Alex would say, well, if you only think that, you know, what R2P is supposed to do is just prevent, you know, imminent atrocities, then you can say, okay, that's what happened in

### *Interview Transcript 3*

#### **Interviewer**

First of all, I want to ask that how would you overall assess the effectiveness of R2P since its implementation in 2005?

#### **Respondent**

Listen, as you know, the whole history, when you analyze a phenomenon like this, you have to think about, okay, back to the roots, which were the circumstances into R2P has been created and approved unanimously. And you see that there was one blatant reaction, which I find very positive, to say this never again, right? Now, you have two paras preceded by an immense work done by the International Commission before, but what remains of it is, are these two paras, right? So, for states who have been not involved in the conversation before, what they have approved are these two paras. But no details have been formulated in how to implement it, right? So, and this was in the wake and it has been followed by instrumentalization of R2P for other pretexts, as you know.

So, what I would say is that one element which is missing is how to implement responsibility to protect on an ongoing basis, right? As we have seen throughout the years, the responsibility to protect is called upon when the house is already on fire, if you allow me the image, right? So, everyone is very heated, polarized, divided, and it's extremely difficult as we see it now on the situation in Ukraine or Gaza-Israel or Sudan, et cetera, to take quiet, objective decisions in the wake of these emergencies where the fronts are already extremely polarized. So, now this said, when one looks at the history of the different bodies, initiatives, et cetera, that have developed a kind of insight about prevention to halt such atrocity-prone dynamics to happen and protection of populations, this work began much earlier, also in the wake of the Genocide Prevention Convention, right? So, there is one thing that is missing for both communities. It is the understanding that prevention is a permanent task, a permanent endeavor.

If you think that if one thinks that one can prevent or one can appeal on prevention only when the house is burning, as I was saying, or in a heated situation, one totally misunderstands what prevention is. So, now I want to come to the specific nature of atrocity crimes.

## ***Interview Transcript 4***

### **Interviewer**

How would you assess the overall effectiveness of the R2P doctrine in preventing and responding to mass atrocities since its adoption in 2005?

### **Juliette Paauwe**

R2P emerged in 2005, in response to the genocides in Rwanda and Srebrenica. Next year we are celebrating R2P's 20<sup>th</sup> anniversary. Norms need time to develop, catalyze, be unpacked, mainstreamed and implemented. The first decade of R2P was characterized by the conceptual development of the norm: what do article 138 and 139 actually mean? The past years the international community is more focused on what implementation of R2P looks like: how do you effectively prevent and halt mass atrocity crimes. For that reason, R2P has not yet reached its full potential. While states do now understand better what it means to uphold the principle, and how you can prevent and respond to atrocity crimes, we see many success stories. There are also many instances where political/national interests or geopolitical dynamics are inhibiting states to uphold their R2P, but we also see that in the context of human rights promotion or conflict prevention, and that is not "special for R2P". As any norm or framework that aims to protect civilians/populations, there are mixed results in terms of implementation.

### **Interviewer**

From your perspective, what are the key indicators of success when evaluating R2P interventions in preventing mass atrocities?

### **Juliette Paauwe**

It is hard to "measure" the success of R2P, because how do you measure or determine something that has not taken place. How do you proof that in a certain country atrocity have not been



## *Interview Transcript 5*

### **Interviewer**

So, since its adoption in 2005, how would you overall assess the effectiveness of R2P doctrine in preventing dead prosody crimes? We are not as effective as needed.

### **Martin Mennecke**

It is of course a question of how you want to measure effectiveness. R2P is meant to both help on the prevention side, but also ultimately on stopping atrocities. So, there are two different goals, and obviously we are witnessing a lot of atrocities, even as we speak, and prevention in that sense also has failed.

But I mean, I think it was never meant to be the magic formula that would, from 2005 forward, you know, stop and prevent all atrocities. So, that's probably also the wrong measure stick. The idea was that it would provide a new idea that countries and governments would rally around, and I think some have done that more than others, and it remains work in progress.

So, it definitely hasn't been, you know, a magic formula, but I think it has added something to the international efforts to deal with mass atrocity crimes. And from your perspective, if we talk about the success cases, so what are the key indicators of success when we evaluate R2P interventions in preventing the atrocity crimes? Like, it's from your perspective totally. Do you want to talk about it as a preventative norm, or in terms of stopping atrocities? Stopping atrocities, like key indicators of success of stopping the atrocities, not just the success of overall mission.

Yeah, I mean, I think in terms of, I mean, so if you had asked about prevention, then I think Kenya would have been an interesting case, but in terms of intervention, then I think actually the very, you know, much talked about case of Libya in 2011 is probably to start with a case that shows the potential of R2P, because at the time when the Security Council adopted the resolution in question, 1973, in March 2011, there was a fear that the leader of Libya, Gaddafi, would send his troops into Benghazi and would go after the opposition forces there, and there were very dark, threatening remarks from Gaddafi that made people fear this could result into a bloodbath, and the international intervention averted that, because that never happened. So to start with, I would say the intervention in March 2011 is actually a case showing the potential of R2P.

## ***Interview Transcript 6***

### **Interviewer**

So, first of all, I will introduce you about my research. So basically, I am analyzing the effectiveness of responsibility to protect implementing atrocity crimes and I will be using a multiple case study approach in which I will analyze the cases of success and failure and most importantly the cases where the doctrine should have been involved, but it wasn't so the main of my research is to analyze how effectively stop trying is in preventing in atrocities and what inherent limitations are there when it comes to its implementation?

### **Mario Kresic**

Okay, but before we start, that's why I said that I'm not maybe the right person to talk about, but maybe you will find something interesting from my side. I'll try to answer your questions based on my article. And I've copied the name of that article, you can find it online. Just a second, here. Maybe I can send you a link also. Okay, so before we start, I have to say that I'm more interested in what is probably boring to you, theoretical questions and doctrine. So, I can see that you are interested in implementation in particular cases. So, I'm not sure that I will be able to answer you on particular cases. What do I think about, I don't know, Gaza or other situations, whether it was useful to... whether that was the situation for R2P to be applied or not. But we will see. With your questions, I will try to answer to your questions on theoretical ground, if you agree.

### **Interviewer**

Okay, no problem. So, should I start? So, my first question is that since its adoption in 2005, how would you overall assess the effectiveness of R2P doctrine?

### **Mario Kresic**

Yeah, that's an interesting question. But you asked me how I estimate the effectiveness of doctrine or effectiveness of conception. I think that, yeah, I think that conception is great. But conception is conception. So, I would like to make this clear. So, I differentiated conception, doctrine, which can be political doctrine, legal doctrine. And then what I'm interested in, in legal aspects, I'm interested in principles, legal principles and legal norms.

## *Interview Transcript 7*

### **Interviewer**

How would you overall assess the effectiveness of R2P since its adoption in 2005?

### **Aidan Hehir**

Well, I think if you're going to judge something, effectiveness of any concept or any theory or any law or norm or anything like that, you have to look at what it was established to do. And the original report, the ISIS report, said that it wanted to avoid two scenarios. One was Rwanda and one was Kosovo. So those two scenarios are very different. In one situation you had in Rwanda, nobody wanting to intervene.

So, you have a genocide taking place but the international community doesn't want to act. And then the Kosovo situation, you have a massive atrocity crime happening but you have a division. So, there are two very different scenarios and the ISIS commission tried to work through means to address both of those problems, which was a very noble endeavor. It clearly was the right thing to do to try to solve those two problems. But you can see since 2005 that both of those two scenarios have happened many, many times. So, it's been a spectacular failure.

I don't believe it has saved a single human life. I don't think it has influenced any decision ever made by any government or any international organization. It's actually made a bad situation worse because it's allowed governments to use a term that gives them a veneer of respectability that makes them sound like they care about human rights.

But it's a cost-free term so they can use it without actually having to change any of their policies, domestic or international. So, if you look at the countries that routinely invoke R2P or at the annual General Assembly debates on R2P who say that they endorse it and they like it and they don't have a problem with it. It includes countries like Iran, Sudan has said nice things about R2P, Saudi Arabia, various different countries, Israel, the United States, Russia, all these kinds of countries that are actively involved in the commission of mass atrocity crimes or supporting governments that are committing mass atrocity crimes.

## ***Interview Transcript 8***

### **Interviewer**

So, Jahaan, how would you interpret or assess the success of R2P as a doctrine in itself? How do you explain R2P?

### **Jahaan Pittalwala**

It's an interesting question. So maybe I'll preface this by saying first that I'm coming specifically from a practitioner's lens and I know that often times there can be a bit of a divide between how academia perceives the success of R2P as a norm versus how we witness it in real time within the UN system and within the multilateral system. So just for context, my organization, the Global Centre for the Responsibility to Protect was created in the aftermath of the World Summit Outcome Document and also my organization was founded in the aftermath of the World Summit Outcome Document in 2008 and the creation of R2P as a political commitment, which as you know, it is a political commitment.

It's not a legally binding norm. It's a principle to which member states pledged to uphold after signing the World Summit Outcome Document in 2005. And so, we were created in the aftermath of that by Kofi Annan and a few other key international leaders who really believed in the promise that R2P and the letter in spirit of what R2P was going to deliver to alleviate suffering of populations that suffer from war crimes, crimes against humanity and genocide globally.

And so, what the Global Centre was created to do, we were physically based in New York and since then we've opened an office in Geneva. And this is a strategic placement of the offices, of our offices, because we are supposed to be sort of an insider outsider, like moving between a sort of, I guess, mobiliser of member states and someone that member states can really rely on to help shape and draft their policy, but also an outsider role in the sense that we conduct a lot of advocacies. We work with other human rights organizations.

So, we kind of shift between the spaces quite fluidly. So, our location in New York and Geneva is on purpose. All of this is to say we are pretty much the only organization in the world that has this really unique perspective on the responsibility to protect and what it's looked like in practice.

## *Interview Transcript 9*

### **Interviewer**

How would you overall assess effectiveness of R2P since 2005? So what's your perspective on it?

### **Jeffery Sizemore**

So I think that prevention efforts have been successful in various contexts in reducing risk. I think there's been a you know, I was talking to Hiba earlier about when we think about our r2p we have to think about it holistically, right? We have to think about all the work that goes into the prevention piece. And so there's been development work that has drastically changed and improve people's lives which is then reduce the need for them to have intercommunal violence and things like that and that is happening in so many different contexts globally that you know, it's so easy to point out where things have gone wrong. But there's so many places where like change was made in small tangible Grassroots ways that actually reduce the risk before we even got to the point where we were talking about it. And so if you're thinking about you know, has there been failures where we have seen, you know, every time there's an atrocity. That means we didn't prevent it. But even when there's atrocities did we reduce the severity did we improve the overall? Like, you know, did we mitigate? Did we make it less bad than it was going to be all of those thing's kind of need to be considered. And so I would say as you're looking at your case studies. Think through kind of some of the places where smaller interventions actually turned the tide before even kind of expanded into the amount of risk. And so I would say. You know since 2005 we have done really important work collectively that has reduced risk and has improved quality of life. We have not done everything.

We wanted to we have not done as and I'm saying this not as the us but as an International Community, but that's okay because the work kind of continues and there is still a need to continue to do more and get better and to improve processes. I would tell you specifically the Lessons Learned project and the tools project of the United States Holocaust Memorial Museum where they have gone through and actually looked at, you know, a whole bunch of different interventions

## *Interview Transcript 10*

### **Interviewer**

How would you overall assess the effectiveness of R2P in preventing the atrocity crime since its adoption in 2005?

### **Thomas G. Weiss**

Well, I think the important thing for me in looking at this is that prevention, the hardest thing to do in my view. Some people would say that everything the UN does is prevention in some way. Preventing things from getting worse, preventing human rights abuse even when there is human rights abuse and even when there is no development. And the responsibility to protect has this three-part responsibility, prevention, reaction, and rebuilding. When the commission was put together, the real focus was on reaction.

The fact of the matter was nothing had happened in Rwanda and some people thought that it was too little, too late. And in Kosovo, some people thought too much, too soon because the security council in the UN was not involved. So, the real focus when Canada put together the commission was on how to do something in the eye of the storm. To sell that notion, which was not popular in many places, in particular places like Pakistan and China or Zimbabwe, the idea was that there should be a bigger framework. And because one of the chairmen happened to have been Gareth Evans who was at the International Crisis Group, who had made a living basically on trying to introduce prevention as a lens in international affairs. The responsibility to protect became prevention, reaction, and rebuilding.

Well, the fact of the matter is that almost never did we actually act early enough to prevent atrocities or even low-level atrocities, let alone high-level atrocities. And it's rare, actually, that the international community of states reacts effectively to mass atrocities. And rebuilding sometimes happens, sometimes does not. But in fact, in the version of the responsibility to protect approved in 2005 by the World Summit, the third part, rebuilding, kind of got thrown out and not focused on. So, I think to make a long story short, there's been a rather significant normative evolution. It's hard to say that we shouldn't prevent atrocities.

## *Interview Transcript 11*

### **Interviewer**

So, my first question is that how would you overall assess the effectiveness of R2P since its adoption in 2005?

### **Dr Marianne Hanson**

Okay, how would I assess R2P? It has been applied in a very selective way reflecting great power politics and reflecting double standards and inconsistency. We know that those who have been called out under R2P have invariably been non-Western individuals, largely African leaders or African individuals and there is a lot of disinformation about R2P. I think very biased against non-Western states and not taking action where it should be taking action in countries that are either Western countries or protected by Western countries.

It has resulted in some convictions, as you will know, by the International Criminal Court, and quite often the individuals who have been convicted have been guilty of committing war crimes, crimes against humanity. So at that level I guess we could say yes, there has been some success. However, I think that the R2P's lack of silence on many activities that are protected by Western states has ultimately led to claims that R2P is biased, it is only upheld when the West seeks to uphold it, and many countries are now quite disillusioned with it.

So, I don't think it will have the same kind of traction that the more formal institutions like the ICJ and the ICC, and then the informal global action taken by people, so people power, I don't think it will have or can have the same effect as those other factors. If we were to get governments in place in the US, the UK, EU states, Australia, which were to forcibly support R2P and which were to call out genocide and war crimes, then I think that there would be much more support for the doctrine of R2P at a global level. But right now, I feel that there's a lot of dismay that R2P has effectively not been applied where it should be applied.

## APPENDIX F

## PUBLICATION

Research Essay on **Assessing the Inaction of Responsibility to Protect (R2P) in Myanmar and Gaza Amidst Atrocity Crimes** in NUST Journal of International Peace and Stability (NJIPS), Volume 7 Issue 2, 2024.

Research Essay

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### Assessing the inaction of the Responsibility to Protect (R2P) in Myanmar and Gaza Amidst Atrocity Crimes

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#### Introduction

Over the last few decades, the international community has witnessed severe human rights violations, notably the Rwanda Genocide of 1994 and the mass atrocities during the breakup of Yugoslavia. These incidents starkly highlighted the global community's inability to prevent or halt such crimes. In response to these failures, significant efforts have been made to develop doctrines and policies aimed at protecting human lives and minimizing suffering during conflicts. One such effort is the concept of the "Responsibility to Protect" (R2P), first coined by the International Commission on Intervention and State Sovereignty (ICISS) 20 years ago. In 2005, the UN member states adopted the World Summit Outcome Document (WSOD) by consensus, establishing the responsibility of states and the international community to protect individuals under Paragraphs 138 and 139 (UN General Assembly, 2005). One of the doctrine's important aspects is to protect the population from internationally recognized atrocity crimes such as genocide, ethnic cleansing, war crimes, and crimes against humanity. Its full representation can be summarized in three pillars:

#### *Pillar One-State Responsibility to Protect*

States are primarily responsible for safeguarding their populations from mass atrocities, including genocide, war crimes, crimes against humanity, and ethnic cleansing.

#### *Pillar Two: International Assistance and Capacity-Building*

The international community is responsible for aiding states in fulfilling their protective role through aid, diplomacy, and support.

#### *Pillar Three-International Responsibility to Protect*

If a state is unable or unwilling to protect its population, the international community has a duty to intervene by employing a range of measures, from peaceful to coercive, to prevent or halt mass atrocities.

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