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*From Saving Lives to Serving Interests:
Rethinking the Responsibility to Protect After Libya*

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Abstract

This thesis critically examines the doctrine of the Responsibility to Protect (R2P) and its application in the 2011 NATO intervention in Libya, exploring how a doctrine intended as a humanitarian safeguard has been selectively applied and potentially manipulated to serve geopolitical interests. Framed by the research question *“To what extent has the Responsibility to Protect, originally conceived as a humanitarian doctrine, been applied selectively and arbitrarily in Libya in 2011 to serve geopolitical interests?”*, this study combines theoretical analysis, historical context and case study evaluation. From tracing the historical evolution of sovereignty, humanitarian intervention and R2P itself, to a deep literature review revealing how the doctrine’s humanitarian promise has been undermined by selective enforcement of powerful states, a theoretical perspective delineates all the elements that should be taken in account. The core of the thesis focuses on the 2011 intervention in Libya as a case study. Through a detailed analysis of the political and humanitarian context, the research demonstrates how NATO’s actions, initially aiming at protecting civilians, shifted toward regime change, thereby raising serious concerns about the legitimacy and proportionality of the intervention, evaluating the roles of the UN Security Council, regional organizations and media in shaping the intervention’s narrative, and delving into the long-term consequences of it. Lastly, the thesis concludes by reflecting on the broader implications for R2P, arguing that unless the doctrine is reformed to establish clearer legal criteria, procedural safeguards and accountability mechanisms, it risks remaining a selectively applied tool that serves the interests of the powerful rather than the needs of vulnerable populations.

Introduction

The evolution of the Responsibility to Protect (R2P) doctrine represents one of the most ambitious and contested efforts to reconcile the protection of human rights with the historical principle of state sovereignty. Emerging in the 21st century, R2P promised to transform the global response to mass atrocities by framing sovereignty not as a shield, but as a responsibility that states owe to their populations. This re-conceptualization, first articulated in the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS), signaled a significant normative shift in international relations. Yet, as the case of Libya in 2011 demonstrated, the application of R2P has often fallen short of its humanitarian ideals, revealing a troubling pattern of selectivity, inconsistency and the instrumentalization of humanitarian language for geopolitical ends.

This thesis critically examines the extent to which R2P, initially conceived as a humanitarian doctrine, has been applied selectively and arbitrarily in the context of the 2011 NATO intervention in Libya, serving geopolitical interests rather than purely humanitarian objectives. It argues that while R2P aspires to provide a framework for collective action in the face of atrocity crimes, its implementation has been shaped by the strategic priorities of powerful states, leading to outcomes that have undermined its credibility and effectiveness. By analyzing the Libyan case, this study aims to illuminate the tensions between the normative commitments of R2P and the realities of international politics, contributing to the broader debate on the future of humanitarian intervention in a multipolar world.

The research begins by tracing in the first chapter the historical and conceptual foundations of R2P, situating it within the long and often contradictory tradition of humanitarian intervention. It explores how the doctrine emerged from a complex interplay of moral ambitions, legal norms and political calculations, shaped by events such as the Rwandan genocide, the Srebrenica massacre and the Kosovo crisis. These moments exposed the failures of the international community to prevent mass atrocities and fueled calls for a more coherent response. However, as the thesis will demonstrate, the very conditions that made R2P necessary have also constrained its implementation.

In the second chapter, this thesis engages with the theoretical and normative debates that have shaped R2P. It interrogates the legal ambiguities surrounding the doctrine, the structural imbalances of the United Nations system, particularly the Security Council, and the persistent problem of selectivity in the application of international norms. It also considers the perspectives of Global South actors, who have often viewed R2P with skepticism, seeing it as a potential instrument of neocolonialism rather than a genuine commitment to global justice. This chapter is essential to understand R2P's contested nature.

The core of the analysis is the third chapter which focuses on the Libyan intervention, a turning point for R2P that simultaneously marked its most visible success and its most glaring failure. The quick invocation of R2P in United Nations Security Council Resolutions 1970 and 1973, and the subsequent military campaign led by NATO were hailed by some as a decisive stand against mass atrocities. Yet, as the conflict exploded, it became increasingly evident that the intervention diverged from the narrow protection of civilians toward a regime change. This shift, together with the collapse of the Libyan state, the rise of militias and the ensuing humanitarian crisis, has sparked a large debate over whether the Libyan case reflects the misuse of R2P for geopolitical purposes.

Ultimately, this thesis argues that the future of R2P depends on a more principled application, grounded in multilateral decision-making, transparency and accountability. While the failures in Libya must serve as a 'cautionary tale', they also provide an opportunity to reflect on how R2P can be reformed to fulfill its original promise: the protection of vulnerable populations from the gravest crimes. The aim of this study is not advocating for the abandonment of R2P but calling for its critical rethinking as a new framework that prioritizes the prevention of atrocities over geopolitical interests. In this spirit, this thesis contributes to an ongoing dialogue about how the international community can uphold its collective responsibility to protect, while safeguarding the principles of legality, legitimacy and human dignity that must guide any future interventions.

1. Chapter I

The Evolution of the Responsibility to Protect (R2P)

Historically, the evolution of sovereignty has been closely intertwined with the development of international norms regarding humanitarian safeguards. From the Peace of Westphalia to the post-Cold War era, the understanding of state responsibility has gradually shifted from an absolute concept of non-interference toward an increasing recognition of the international community's duty to protect populations from mass atrocities. The Responsibility to Protect (R2P) emerged as a landmark in this context, reflecting both moral ambitions and political complexities. Examining these historical and theoretical roots is essential for understanding how R2P's original vision has been shaped, and often manipulated, by the realities of power politics.

1.1. The Historical Roots of Sovereignty

1.1.1. The Westphalian Concept of Sovereignty

The modern understanding of state sovereignty, that still underpins the current international system, finds its roots in the Peace of Westphalia: a set of treaties signed in 1648 that concluded the Thirty Years' War in Europe. With the Münster and Osnabrück Treaties, the European powers established that no external authority, whether imperial or religious, could interfere in States' internal affairs. These treaties are commonly regarded as the birth of the sovereign state system, introducing a framework based on the principles of territorial integrity and political self-determination, and establishing a new political order based on each state's supreme authority within its own borders.

The Westphalian system marked a sharp break from the previous feudal order. In fact, Westphalia emphasized the centrality of the state as the exclusive holder of sovereign power within a given territory, introducing the doctrine of non-intervention as a pillar of inter-state relations. In practice, this principle consolidated national identity and centralized power, thereby bringing stability to Europe after years of wars. But, while it provided rulers autonomy, it also established the supremacy of state borders, laying the

ground for a strict international system in which sovereignty was to be prioritized over everything else.¹

However, the Westphalian model, despite its revolutionary nature in the 17th century, was never applied consistently. Powerful states often violated the principle of non-intervention for their interests. Throughout European history, major powers intervened in the affairs of weaker neighbors under various pretexts revealing a selective consideration of sovereignty. Thus, from the very beginning the concept of sovereignty served both as a legal norm and as a strategic tool. While it provided weaker states with a formal barrier against domination, it also became a rhetorical tool used by stronger states to legitimize and justify their own political aims.²

This fundamental tension, between sovereignty as a principle of equality and its manipulation as a tool of power politics, would last for centuries, shaping the development of international relations and the evolution of global governance. The Westphalian idea of sovereignty remained influential through the 18th and 19th centuries as empires expanded and international relations became more formalized through diplomacy and treaties. Yet, its core tenets were called into question by the growing recognition of shared norms, human rights and the collective responsibility of states, especially in the aftermath of global conflicts.³

The codification of Westphalian sovereignty in modern international law is found in the Charter of the United Nations, particularly Article 2(7), which reaffirms that "nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state."⁴ This articulation is often regarded as a reaffirmation of the Westphalian principle within the contemporary global order. Nonetheless, the same Charter commits the international community to promoting human rights and maintaining international peace and security as well, implying a strong tension between non-intervention and the obligation to act in front of

¹ Philpott, Daniel. *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations*. Princeton University Press, 2001.

² Krasner, Stephen D. *Sovereignty: Organized Hypocrisy*. Princeton University Press, 1999

³ Anghie, Antony. *Imperialism, Sovereignty and the Making of International Law*. Cambridge University Press, 2004

⁴ United Nations Charter, Article 2(7)

mass atrocities. The legacy of Westphalia thus lives on the fundamental ambivalence in international relations: the valorization of state sovereignty and the imperative to protect human dignity across borders.

The reason why Westphalian model lasted so long is due to its versatility. While the principle of non-intervention remains a bedrock of international relations, it has been reinterpreted in light of new normative challenges. The emergence of transnational threats, such as terrorism, climate change and pandemics, has further complicated the rigid application of sovereignty, necessitating greater cooperation and, in some cases, legitimizing intervention. Furthermore, the post–World War II era and the process of decolonization introduced several new sovereign states into the international system, many of which saw sovereignty as a guarantee of independence and protection from external domination.⁵ Lastly, the rise of international human rights law showed that states could no longer claim unlimited authority over their populations when fundamental human rights are at risk. The atrocities of the Holocaust, as well as the genocides in Rwanda and Bosnia, demonstrated that sovereignty could also serve as a barrier behind which regimes committed gross violations without external accountability. In response, policymakers and scholars began to articulate new doctrines, including the Responsibility to Protect, re-imaging sovereignty not as control, but as responsibility.⁶

Therefore, understanding the Westphalian concept of sovereignty is essential for placing the emergence of the Responsibility to Protect in a way broader historical and legal context. R2P did not emerge out of nowhere; it is the product of centuries of evolving thoughts about the nature of state authority, the legitimacy of intervention and the international community's obligations to populations in danger. In this regard, the Westphalian model remains both a historical anchor and a normative battleground, a point of reference from which modern doctrines either gain legitimacy or seek transformation.

⁵ Jackson, Robert H. *Quasi-States: Sovereignty, International Relations and the Third World*. Cambridge University Press, 1990

⁶ International Commission on Intervention and State Sovereignty (ICISS). *The Responsibility to Protect*. International Development Research Centre, 2001

1.1.2. The Evolution of Sovereignty in International Law (19th–20th Century)

The evolution of sovereignty in the 19th and 20th centuries reflects a complex interplay between legal formalism, imperial ambition and emerging international norms. While the Westphalian concept had established a significant understanding of non-intervention and territorial integrity, its application during the 19th century became increasingly selective and instrumentalized by dominant powers. The prevailing international order of the time was mostly shaped by European colonial expansion, based on doctrines that justified intervention in the internal affairs of non-European societies. These justifications were rooted in the so-called “standard of civilization,” which claimed that only states meeting certain criteria, such as stable government, rule of law and economic development, could be regarded as fully sovereign under international law.⁷

This discriminatory framework meant that much of the non-Western world was legally excluded from equal participation in the international system. Colonial powers invoked legal arguments for intervention and annexation, defining themselves as bearers of order and progress. As Antony Anghie has argued, international law evolved in tandem with colonialism, drawing boundaries between “civilized” and “uncivilized” peoples, and reserving sovereignty as a privilege rather than a universal right.⁸ Consequently, while sovereignty remained a central concept, it was unevenly distributed in structures of domination.

Amid this global imbalance, international law began to take on more formalized characteristics. The 19th century witnessed the proliferation of multilateral treaties and the establishment of codified norms. Nevertheless, the balance of power remained the principal mechanism of order, with sovereignty often invoked rhetorically rather than applied concretely. Humanitarian concerns were subordinated to strategic calculations and interventions were framed as necessary civilizing missions.⁹

⁷ Gong, Gerrit W. *The Standard of ‘Civilization’ in International Society*. Oxford University Press, 1984

⁸ Anghie, Antony. *Imperialism, Sovereignty and the Making of International Law*. Cambridge University Press, 2004

⁹ Simpson, Gerry. *Great Powers and Outlaw States: Unequal Sovereigns in the International Legal Order*. Cambridge University Press, 2004

World War I marked a significant moment in the re-evaluation of sovereignty. The formation of the League of Nations introduced the principle of collective security, suggesting that sovereignty could be limited for the sake of international peace. The League's Covenant emphasized the responsibility of states to avoid war and its mandate system introduced an initial form of international trusteeship over former colonies and defeated powers. While at the end the League proved ineffective in deterring aggression by major states, it built the basis for a more integrated international legal order in which sovereignty could be challenged under certain normative grounds.¹⁰

In the wake of the devastation of totalitarian regimes in the 1930s and the subsequent atrocities of World War II, the establishment of the United Nations in 1945 marked a watershed moment. The UN Charter reasserted the sovereign equality of all its members but simultaneously introduced new principles that mitigated absolute state autonomy. Article 1 of the Charter commits the organization to the promotion of human rights and fundamental freedoms, while Article 2(7) maintains the principle of non-intervention in domestic matters.¹¹ This apparent contradiction encapsulates the postwar dilemma: how to reconcile sovereignty with the international community's growing commitment to human dignity.

The postwar era also saw the rapid development of international human rights law. The Universal Declaration of Human Rights (1948), although non-binding, served as a moral guide that inspired subsequent treaties, such as the International Covenant on Civil and Political Rights (1966) and the Convention on the Prevention and Punishment of the Crime of Genocide (1948). These instruments collectively began to articulate a vision of sovereignty conditioned by legal obligations to protect individuals within state borders.¹² Violations of these obligations increasingly prompted debates about legitimate forms of international response.

¹⁰ Mazower, Mark. *Governing the World: The History of an Idea*. Penguin Press, 2012

¹¹ United Nations Charter, Articles 1 and 2

¹² United Nations. *Universal Declaration of Human Rights*. 1948

The decolonization wave that followed World War II added new complexity to the discourse on sovereignty. For many new independent states, sovereignty was a synonym of liberation and autonomy. As a result, any suggestion of intervention, regardless of the humanitarian justification, was often viewed with suspicion. The principle of non-intervention became a shield against neocolonialism and institutions like the Non-Aligned Movement reaffirmed sovereignty as the cornerstone of international justice.¹³ Yet, paradoxically, these same postcolonial states also became advocates for international accountability in cases of grave human rights violations, revealing an ambivalent relationship with these evolving norms.

By the end of the 20th century, this ambivalence had crystallized into competing narratives. On one hand, sovereignty was still defended as essential to legal equality and self-determination; on the other, it was increasingly challenged by transnational threats and humanitarian emergencies that seemed to demand international engagement. This directly influenced the formulation of the Responsibility to Protect, which sought to articulate a new paradigm that redefined sovereignty as a responsibility rather than an absolute right.¹⁴

1.1.3. Sovereignty and Human Rights: The Post–Cold War Shift

The conclusion of the Cold War marked a critical point in the debate concerning sovereignty and intervention, it represented an opportunity for the reconfiguration of global norms. Central to this was a growing international consensus around the primacy of human rights, which increasingly challenged the traditional understanding of sovereignty as absolute and inviolable. The international community, inspired by a wave of optimism, began to articulate a new moral imperative: states had a responsibility not

¹³ Jackson, Robert H. *Quasi-States: Sovereignty, International Relations and the Third World*. Cambridge University Press, 1990

¹⁴ International Commission on Intervention and State Sovereignty. *The Responsibility to Protect*. International Development Research Centre, 2001

only to respect sovereignty but also to ensure the protection of individuals within their jurisdictions.¹⁵

The genocides in Rwanda (1994) and Srebrenica (1995) profoundly shaped this shift. These atrocities, occurring despite the presence of international observers and, in the case of Rwanda, in full view of a paralyzed UN, exposed the serious limitations of the non-interventionist framework. The failure of the international community to prevent or stop mass killings highlighted the inadequacy of existing legal tools, particularly the deference to sovereignty that prevented timely action. These tragedies highlighted the urgent need to re-evaluate the conditions under which the international community could, and should, intervene in the internal affairs of states to prevent large-scale human suffering.¹⁶

Simultaneously, the doctrine of humanitarian intervention, long debated in scholar and diplomatic circles, gained new relevance. While the idea of military intervention for humanitarian purposes was not new, its invocation in the post–Cold War era assumed a different tone. Humanitarian justifications were increasingly used to legitimize the use of force, most notably in Kosovo in 1999. There, NATO intervened militarily to prevent ethnic cleansing of Albanians by Serbian forces, despite lacking authorization from the UN Security Council. While many viewed the intervention as morally necessary, its legality was contested, demonstrating the evolving and contradictory relationship between legal norms and ethical goals in international affairs.¹⁷

The Kosovo case became a focal point for the development of a new normative framework. In response to growing demands for a more coherent approach to humanitarian crises, then-UN Secretary-General Kofi Annan posed a fundamental question: ‘if humanitarian intervention is indeed an unacceptable assault on sovereignty, how should the world respond to gross and systematic violations of human rights?’¹⁸. This question encapsulated the tension between the principles of state sovereignty and the

¹⁵ Tesón, Fernando R. *Humanitarian Intervention: An Inquiry into Law and Morality*. Transnational Publishers, 2005

¹⁶ Barnett, Michael. *Eyewitness to a Genocide: The United Nations and Rwanda*. Cornell University Press, 2002

¹⁷ Chesterman, Simon. *Just War or Just Peace? Humanitarian Intervention and International Law*. Oxford University Press, 2001

¹⁸ Annan, Kofi. “Two Concepts of Sovereignty.” *The Economist*, September 18, 1999

global commitment to human rights protection. The need for clarity led to the establishment of the International Commission on Intervention and State Sovereignty (ICISS) in 2000, which produced its seminal report *The Responsibility to Protect* the following year.

At the same time, international law continued to evolve in ways that reinforced the weakening of absolute sovereignty. The establishment of the International Criminal Court (ICC) in 2002 institutionalized the principle that individuals, including heads of state, could be held accountable for crimes against humanity and other serious offenses. While the ICC faced significant political pushback, particularly from non-Western states, it symbolized the growing commitment to individual accountability over the traditional impunity afforded by sovereign immunity.¹⁹

Ultimately, the post–Cold War period did not determine the end of sovereignty, but rather its transformation. Sovereignty remained a foundational principle of international law, but it was increasingly conditioned by moral expectations and legal obligations. The protection of populations from mass atrocities emerged as a key concern of the international community, even as debates continued over the legitimacy, effectiveness and impartiality of intervention. The tension between state autonomy and human rights persist, not as a dual opposition but as an evolving dialectic at the heart of international relations, and the legacy of this shift continues to inform the operational challenges and normative aspirations of doctrines like R2P.

1.2. The History of Humanitarian Intervention Before R2P

1.2.1. Doctrinal Origins and Practice Through Centuries

The concept of humanitarian intervention, a precursor to the Responsibility to Protect, has deep historical roots dating back to the 19th century, where it began as an evolving doctrine based on both moral reasoning and the strategic interests of powerful states. Though not yet codified under international law, the idea that a state could intervene to prevent atrocities in another state's territory gained space as European powers invoked

¹⁹ Schabas, William A. *An Introduction to the International Criminal Court*. Cambridge University Press, 2020

humanitarian justifications for their actions, even when such interventions served their imperial ambitions.

In that period, the Greek War of Independence (1827)²⁰ and the French intervention in Syria (1860)²¹ revealed a recurrent pattern: humanitarian rhetoric masked geopolitical ambitions, making the doctrine inherently susceptible to manipulation.²² At the same time, scholars like Henry Wheaton and Lassa Oppenheim engaged in debates over the legitimacy of humanitarian intervention. Wheaton acknowledged that intervention could be justified in "extreme cases of necessity," while Oppenheim stressed that it must remain an exception to the general prohibition on the use of force²³. Yet, the absence of a centralized enforcement mechanism left the doctrine reliant on state practice, with powerful states interpreting it to satisfy their interests. The Concert of Europe, an alliance of European powers after the Napoleonic Wars, institutionalized this selective approach, authorizing interventions within European and Ottoman contexts while excluding non-European regions, where intervention often took place as colonization²⁴.

The 20th century marked a critical phase in the evolution of humanitarian intervention, with significant cases highlighting both the potential and the risks of intervention without a formal legal framework. India's 1971 intervention in East Pakistan (now Bangladesh) was a response to mass atrocities and a massive refugee crisis but also served India's national security interests²⁵. Vietnam's 1978 intervention in Cambodia ended the genocidal rule of the Khmer Rouge but was viewed through the lens of Cold War rivalries, leading to international condemnation despite its humanitarian impact²⁶.

²⁰ Britain, France, and Russia intervened to protect Greek Christians from Ottoman oppression, culminating in the Battle of Navarino. This intervention, while justified on humanitarian grounds, was also a strategic move to weaken the Ottoman Empire

²¹ It was framed as a mission to protect Maronite Christians from Druze violence, but allowed France to expand its influence in the Levant

²² Bass, Gary J. *Freedom's Battle: The Origins of Humanitarian Intervention*. Knopf, 2008

²³ Oppenheim, Lassa. *International Law: A Treatise*. Longmans, Green & Co., 1905

²⁴ Lauren, Paul Gordon. *The Evolution of International Human Rights: Visions Seen*. University of Pennsylvania Press, 2011

²⁵ Franck, Thomas M., and Nigel S. Rodley. "After Bangladesh: The Law of Humanitarian Intervention by Military Force." *American Journal of International Law*, vol. 67, no. 2, 1973, pp. 275–305

²⁶ Kiernan, Ben. *The Pol Pot Regime: Race, Power, and Genocide in Cambodia under the Khmer Rouge, 1975–79*. Yale University Press, 2008

These cases underscored the ambiguity of humanitarian intervention: balancing moral obligations with national interests, often without international authorization. The absence of a consistent legal framework meant that each intervention was judged ad hoc, influenced by geopolitical alignments rather than clear ethical principles.

The 1990s brought the issue to the forefront, with three major crises (Rwanda, Bosnia, and Kosovo) exposing the inadequacies of existing international law. In Rwanda (1994), the international community's failure to prevent genocide despite clear warnings underscored the paralysis of the UN Security Council, where geopolitical interests obstructed decisive action²⁷. In Bosnia (1995), the Srebrenica massacre highlighted the failure of UN-protected "safe areas" when Dutch peacekeepers, operating under a limited mandate, were unable to prevent the massacre of over 8,000 Bosnian people²⁸.

Kosovo (1999) represented a turning point in the evolution of humanitarian intervention. Following the violent repression of Albanians by Serbian security forces, NATO launched Operation Allied Force, a 78-day bombing campaign against the Federal Republic of Yugoslavia. Despite the absence of UN Security Council authorization, NATO justified the intervention on humanitarian grounds, arguing that immediate action was necessary to prevent mass atrocities similar to those in Bosnia and Rwanda. The intervention ultimately led to the withdrawal of Serbian forces from Kosovo and the establishment of a UN-administered protectorate under UNSC Resolution 1244²⁹.

However, Kosovo's case sparked intense legal and diplomatic debates. Critics viewed it as a violation of Article 2(4) of the UN Charter, which prohibits the use of force except in self-defense or with Security Council approval. Defenders argued that the action, though lacking formal legality, was morally justified, embodying the principle of "illegal but legitimate".³⁰ The crisis exposed a huge divide between legality and legitimacy, a tension that would shape subsequent discussions on the Responsibility to Protect, doctrine

²⁷ United Nations. *Report of the Independent Inquiry into the Actions of the United Nations during the 1994 Genocide in Rwanda*, 1999

²⁸ Power, Samantha. *A Problem from Hell: America and the Age of Genocide*. Basic Books, 2002

²⁹ Daalder, Ivo H., and Michael E. O'Hanlon. *Winning Ugly: NATO's War to Save Kosovo*. Brookings Institution Press, 2000

³⁰ Roberts, Adam. "NATO's 'Humanitarian War' over Kosovo." *Survival*, vol. 41, no. 3, 1999, pp. 102–123

that aimed to address these kind of challenges by establishing a clear framework for international action to protect populations from atrocity crimes.

This historical evolution of humanitarian intervention reflects a persistent tension between ethical imperatives and state sovereignty. From 19th century power politics to 20th century humanitarian crises, the doctrine evolved through inconsistent practices, selective applications and recurring debates over legitimacy. It is within this context that R2P emerged, seeking to establish a more principled and consistent approach to the protection of populations at risk.

1.2.2. Problems of Legitimacy, Selectivity, and the Push for a New Framework

The cumulative experience of humanitarian interventions throughout the centuries exposed several problems in the prevailing international order. Chief among these were issues of legitimacy, inconsistency and the perceived instrumentalization of humanitarian justifications by powerful states. The interventions in Rwanda, Bosnia and Kosovo underscored the lack of a coherent legal and ethical framework to govern decisions around the use of force for humanitarian purposes. These inconsistencies raised urgent questions: who decides when intervention is justified? Under what authority? And based on which criteria? The absence of clear answers to these questions fundamentally undermined the legitimacy of humanitarian intervention in the eyes of many states, particularly in the Global South.

The legitimacy crisis surrounding humanitarian intervention stemmed mostly from the dominance of unilateralism and selective enforcement. While interventions like in Kosovo were justified by some Western governments on humanitarian grounds, similar crises in places like the Democratic Republic of Congo, Sudan or Chechnya were met with international silence or paralysis.³¹ This selectivity gave rise to accusations of double standards, where geopolitical interest, rather than moral principle, determined the threshold for international action. The perception that humanitarianism was being

³¹ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015

weaponized to justify regime change or to advance strategic interests significantly weaken the normative power of the doctrine.³²

One of the most cited concerns was the bypassing of the United Nations Security Council in favor of coalitions of the willing or regional alliances, particularly when vetoes from permanent members obstructed consensus. As beforementioned, Kosovo's intervention opened the debate in this regard: in fact, while many commented "illegal but legitimate," others warned that such reasoning threatened to undermine the authority of international law by privileging moral claims over institutional procedures.³³ The tension between legality and legitimacy became increasingly difficult to reconcile.

Moreover, the deeply political nature of the Security Council's decision-making process reinforced the idea that humanitarian intervention was susceptible to manipulation. The veto power held by the five permanent members (P5) of the Council enabled them to block action in situations where their strategic allies were implicated, thereby paralyzing international response.³⁴ This disfunction highlighted the need for reform not only of the humanitarian intervention doctrine but also of the broader institutional architecture within which it operated.

The selectivity problem also revealed a political divide between the Global North and South. For many postcolonial states, sovereignty was a conquered principle and any erosion of it, however well-intentioned, was viewed as potentially dangerous.³⁵ This wariness was exacerbated by the fact that interventions tended to occur predominantly in the Global South, further entrenching the belief that the rules of the international system were being applied unevenly and discriminatorily. The legitimacy of humanitarian intervention, therefore, became intertwined with questions of global equity and representation in decision-making.

³² Chandler, David. *From Kosovo to Kabul and Beyond: Human Rights and International Intervention*. Pluto Press, 2006

³³ Independent International Commission on Kosovo. *The Kosovo Report*. Oxford University Press, 2000

³⁴ Thakur, Ramesh. *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*. Cambridge University Press, 2006

³⁵ Ayoob, Mohammed. "Humanitarian Intervention and State Sovereignty." *International Journal of Human Rights*, vol. 6, no. 1, 2002, pp. 81–102

At the same time, the increasing prevalence of intra-state conflicts and mass atrocity crimes demonstrated that the existing norms of non-intervention, state consent and humanitarian intervention's customs were no longer sufficient to address contemporary security threats. The inability of the international community to respond effectively to mass atrocities and crimes against humanity pointed to a profound normative gap. Traditional sovereignty-based frameworks could not adequately justify inaction for large-scale suffering. This realization created a growing movement among scholars, diplomats and civil society actors for the creation of a new doctrine, one that could reconcile the core requirements of human protection with respect for state sovereignty.

1.3. The Emergence of the Responsibility to Protect

1.3.1. The ICISS Report (2001): Redefining Sovereignty

The publication of the International Commission on Intervention and State Sovereignty (ICISS) report in December 2001 marked a turning point in the evolution of humanitarian intervention and the broader question of sovereignty. Tasked with reconciling the need for international action in the face of atrocity crimes with the historical principle of state sovereignty, the Commission introduced the Responsibility to Protect (R2P) as a new normative framework.

The ICISS was established in 2000 with the initiative of the Canadian government, in response to the growing recognition of normative gaps exposed by the crises of the 1990s, particularly Rwanda and Kosovo.³⁶ The Commission's mandate was to answer the pressing question posed by UN Secretary-General Kofi Annan: 'if humanitarian intervention is inherently controversial and potentially a violation of sovereignty, how should the international community respond to mass atrocities when states fail to protect their own populations?'³⁷ The ICISS sought to provide a coherent and principled answer to this dilemma.

³⁶ Thakur, Ramesh. *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*. Cambridge University Press, 2006

³⁷ Annan, Kofi. "Two Concepts of Sovereignty." *The Economist*, September 18, 1999

The report's central innovation was the conceptual shift from the "right to intervene" to the "responsibility to protect" ³⁸. This reframing was not merely semantic, and this rhetorical transformation had profound legal implications. Rather than framing intervention as a discretionary act by external powers, the ICISS argued that sovereignty entails responsibility. Specifically, it articulated that states have the primary responsibility to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. If a state is unable or unwilling to do so, the responsibility then shifts to the international community.³⁹ In this way, R2P did not undermine sovereignty but redefined it as conditional upon the fulfillment of specific duties.

Importantly, the ICISS delineated R2P into three correlated responsibilities: the responsibility to prevent, the responsibility to react and the responsibility to rebuild. By grounding intervention within a set of responsibilities, ICISS report sought to create a more comprehensive and less militaristic system. The preventive component emphasized early action to address the causes of the conflict and mass violence, highlighting the importance of development, governance and human rights promotion. The reaction component regarded appropriate responses, ranging from diplomatic and economic measures to, in extreme cases, military intervention. The rebuilding responsibility stressed post-crisis recovery, including justice, reconciliation and institution-building.⁴⁰ This tripartite framework aimed to shift the focus away from reactive force and toward a more holistic approach to human protection.

The ICISS report also proposed a set of criteria to guide the use of force under R2P. These included just cause (e.g., large-scale loss of life or ethnic cleansing), right intention, last resort, proportional means and reasonable prospects of success.⁴¹ By establishing these thresholds, the Commission aimed to guard against abuse and ensure that any intervention under the R2P doctrine would be founded in clearly defined humanitarian imperatives. These criteria were intended to complement, not replace, the authority of the United Nations Security Council, which remained the primary body responsible for authorizing

³⁸ ICISS. *The Responsibility to Protect*. International Development Research Centre, 2001

³⁹ Ibid.

⁴⁰ Evans, Gareth. *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*. Brookings Institution Press, 2008

⁴¹ Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*. Polity Press, 2009

coercive measures under Chapter VII of the UN Charter.⁴² These principles were designed to provide a fair standard of judgement and a decision-making structure for future interventions, thereby reducing the arbitrariness that had characterized past actions

While the ICISS emphasized the role of the Security Council, it also acknowledged its limitations and susceptibility to political deadlock. To address this, the report encouraged the Council to adopt a “code of conduct,” whereby the permanent members would voluntarily agree to refrain from using their veto in situations involving mass atrocities.⁴³ Although this proposal was never formally adopted, it represented an early attempt to address the structural obstacles that had impeded timely and effective action in the past.

The reception of the ICISS report was mixed but influential. Many states from the Global South expressed cautious interest, recognizing the potential of R2P to compensate normative gaps while remaining concerned about the possibility of its misuse. Western states generally welcomed the report, though not all endorsed its recommendations in full.⁴⁴ Importantly, the ICISS laid the intellectual groundwork for the eventual adoption of R2P by the United Nations in 2005.

The report’s influence extended beyond its immediate policy impact. It contributed to a reconceptualization of international order in which the rights of individuals and communities could, under specific conditions, have precedence over the inviolability of borders. R2P, as envisioned by the ICISS, sought to institutionalize moral outrage and turn it into policy, providing a structured path from recognition of atrocities to coordinated international response.⁴⁵ In this regard, the report’s normative ambition was clear: to create a framework where the international community could act decisively to prevent and stop mass atrocities, without abandoning the principles of the UN Charter.

In retrospect, the ICISS report was both a culmination of the debates of the 1990s and a blueprint for future engagement. It offered a principled and pragmatic approach to one of

⁴² Evans, Gareth, and Mohamed Sahnoun. “The Responsibility to Protect.” *Foreign Affairs*, vol. 81, no. 6, 2002, pp. 99–110

⁴³ Luck, Edward C. *UN Security Council: Practice and Promise*. Routledge, 2006

⁴⁴ Serrano, Monica. “The Responsibility to Protect and Its Critics: Explaining the Consensus.” *Global Responsibility to Protect*, vol. 1, no. 4, 2009, pp. 411–434

⁴⁵ Welsh, Jennifer M. “Norm Contestation and the Responsibility to Protect.” *Global Responsibility to Protect*, vol. 5, no. 4, 2013, pp. 365–396

the hardest dilemmas in global governance: how to reconcile state sovereignty with the international community's obligation to protect human life. While the implementation of R2P would face numerous challenges, the ICISS report remains a foundational document that reshaped the conversation around intervention, responsibility and the evolving nature of sovereignty in the 21st century.

1.3.2. Adoption at the 2005 World Summit

The 2005 World Summit constituted a landmark moment in the development of international norms, as the United Nations General Assembly officially endorsed the Responsibility to Protect with a high consensus. The World Summit was the first instance in which all 191 UN member states expressed collective support for the principle that sovereignty entails responsibility, particularly regarding the prevention of atrocity crimes.⁴⁶ This affirmation, adopted in the Summit Outcome Document, signified a normative shift within the international community, embedding R2P within the global discourse and paving the way for its institutionalization.

Paragraphs 138 and 139 of the 2005 Outcome Document form the cornerstone of R2P's international endorsement. In Paragraph 138, member states affirmed that "each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity."⁴⁷ This reaffirmation of national responsibility reflected the core of the ICISS proposal. More importantly, Paragraph 139 articulated the international community's responsibility to assist states in fulfilling this duty and, if necessary, to take collective action "through the Security Council, in accordance with the Charter," should peaceful means be inadequate and national authorities manifestly fail to protect their populations.⁴⁸ These carefully negotiated provisions represented a political compromise: while they upheld the centrality of state sovereignty, they also legitimized international action under specific and exceptional circumstances.

⁴⁶ Bellamy, Alex J. *Global Politics and the Responsibility to Protect: From Words to Deeds*. Routledge, 2010

⁴⁷ United Nations General Assembly. *2005 World Summit Outcome*, A/RES/60/1, Paragraph 138

⁴⁸ *Ibid.*, Paragraph 139

Unlike the original ICISS report, the 2005 articulation of R2P was framed more narrowly. The final document omitted references to the responsibility to rebuild, as well as the criteria proposed for the use of force, such as last resort and proportionality.⁴⁹ This narrowing reflected the reluctance of many states, particularly from the Global South, to endorse broad mandates for intervention that could be misused by powerful actors. By focusing strictly on the four atrocity crimes and emphasizing Security Council authorization, the language of the Summit only attempted to balance the principle of non-intervention with preventing mass atrocities.

The negotiations leading up to the adoption of R2P were intense and complicated. States were divided over the potential implications of legitimizing intervention, particularly given recent experiences such as the Iraq War in 2003, which was largely perceived as a breach of international law.⁵⁰ Many states feared that endorsing R2P could provide a legal or political cover for unilateral military interventions under humanitarian pretenses. In this context, the involvement of influential middle powers, such as Canada, South Africa, and Brazil, was crucial in mediating the debate and constructing language that could achieve consensus. Their roles reflected a growing awareness that R2P's legitimacy depended not only on its content but also on the inclusivity of its formulation.

Though the Outcome Document lacked legal binding force, its unanimous endorsement by the General Assembly conferred substantial normative legitimacy. Legal scholars have debated whether the 2005 Summit constituted the formation of a new customary international norm. While the absence of state practice and *opinio juris* makes this claim premature, there is little doubt that the endorsement of R2P significantly elevated its status as a political standard.⁵¹ It institutionalized expectations around state conduct and international responsibility in the face of mass atrocity crimes, providing a reference point for future debates and decisions.

⁴⁹ Evans, Gareth. *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*. Brookings Institution Press, 2008

⁵⁰ Thakur, Ramesh. *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*. Cambridge University Press, 2006

⁵¹ Stahn, Carsten. "Responsibility to Protect: Political Rhetoric or Emerging Legal Norm?" *American Journal of International Law*, vol. 101, no. 1, 2007, pp. 99–120

The adoption of R2P at the World Summit also marked a symbolic shift in the post-Cold War international order. It reflected the culmination of efforts to re-imagine sovereignty not as a right to non-interference but as a duty of care. In the words of then-UN Secretary-General Kofi Annan, it was an “embrace of a new international consensus” that sought to learn from the failures of Rwanda and Srebrenica.⁵² Annan’s advocacy was instrumental throughout the process and his vision of a “united human family” responsible for protecting the most vulnerable underpinned the Summit’s political narrative.

Despite its symbolic importance, the 2005 endorsement of R2P did not resolve all controversies. This framework left several operational questions unanswered, such as the threshold for determining when a state had “manifestly failed” to protect its population or what mechanisms should be used in cases of Security Council block. Moreover, the reliance on the Security Council as the last arbiter of action meant that R2P’s implementation remained vulnerable to geopolitical interests and great power politics. These structural weaknesses would become evident in subsequent crises, most notably in Libya and Syria, where the invocation, and non-invocation, of R2P would re-ignite debates about selectivity, legitimacy and misuse.⁵³

Nonetheless, the 2005 World Summit was a foundational moment in the codification of R2P. It transformed a controversial and contested idea into a globally accepted political commitment. While the practical implementation of R2P would face challenges, the consensus achieved in 2005 gave the doctrine its initial force, allowing it to evolve from a conceptual proposition to a living norm in international relations. The endorsement represented a moral affirmation of the international community’s collective responsibility, a recognition that sovereignty could no longer serve as an impenetrable shield against accountability in the face of atrocity crimes.

1.3.3. The Three Pillars of R2P: prevention, reaction, and rebuilding

Following its endorsement at the 2005 World Summit, the Responsibility to Protect underwent a process of further refinement and operationalization. This effort culminated

⁵² Annan, Kofi. *Interventions: A Life in War and Peace*. Penguin Press, 2012

⁵³ Hehir, Aidan. *The Responsibility to Protect: Rhetoric, Reality and the Future of Humanitarian Intervention*. Palgrave Macmillan, 2012

in the 2009 report of the United Nations Secretary-General, which formally articulated R2P as comprising three distinct but interconnected pillars.⁵⁴ These pillars were not only designed to clarify the scope and content of the doctrine, but also to offer guidance to states and international institutions tasked with preventing and responding to mass atrocity crimes. The 2009 report therefore serves as a critical interpretative document, elaborating the consensus of 2005 and aiming to transform political commitment into policy implementation.

The first pillar asserts the primary responsibility of each state to protect its own population from genocide, war crimes, ethnic cleansing and crimes against humanity. This component reaffirms the centrality of state sovereignty but recasts it as an obligation rather than a privilege.⁵⁵ It underscores that sovereignty entails duties toward one's own citizens and that the legitimacy of state authority is contingent on the protection of fundamental human rights. The first pillar is thus both declaratory and preventive, emphasizing that the most effective form of protection occurs through good governance, rule of law, inclusive political institutions and development.⁵⁶ This first point places the center of action on national governments, reinforcing their main role in atrocity prevention while also providing a normative scenario where they can be evaluated.

The second pillar addresses the responsibility of the international community to assist states in fulfilling their protective functions. This includes a broad range of activities like technical support, capacity-building, mediation and diplomatic engagement, that are intended to enhance state resilience and prevent the escalation of tensions into mass violence.⁵⁷ Crucially, this pillar is grounded in the principles of cooperation and consent. It respects national sovereignty by trying to strengthen the protective capacities of states and, at the same time, it recognizes that in a globally interconnected world, the prevention of mass atrocities is a shared responsibility. The second pillar operationalizes R2P as a

⁵⁴ United Nations Secretary-General. *Implementing the Responsibility to Protect*. A/63/677, 12 January 2009

⁵⁵ Ibid.

⁵⁶ Evans, Gareth. *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and For All*. Brookings Institution Press, 2008

⁵⁷ Serrano, Monica. *Implementing the Responsibility to Protect: The Role of Regional and Subregional Organizations*. *Global Responsibility to Protect*, vol. 2, no. 1, 2010, pp. 18–42

framework of solidarity, encouraging partnerships between states, regional organizations and international bodies in pursuit of early warning and coordinated response.

The third pillar, often the most controversial, articulates the responsibility of the international community to take timely and decisive action when a state is manifestly failing to protect its population.⁵⁸ This action, which may include coercive measures such as sanctions, international criminal prosecution, or even military intervention, must be conducted in accordance with the United Nations Charter. Most notably, it requires the authorization of the Security Council under Chapter VII. This third point does not constitute a new legal right of intervention; rather, it reiterates existing mechanisms for collective action while placing them within the moral and political context of atrocity prevention.⁵⁹ It is precisely this pillar that continues to generate debate, particularly regarding the legitimacy and consistency of international responses, as well as the role of veto power in paralyzing action.

The interplay between the three pillars reveals R2P's comprehensive logic: protection is first and foremost a national duty; if that duty is jeopardized, the international community must offer support, and if that support fails or is refused, international action must be considered.⁶⁰ Importantly, the three pillars are neither sequential nor hierarchical. They are mutually reinforcing, designed to provide flexibility and adaptability to varying circumstances. For example, preventive measures under the first and second pillars may occur concurrently, while the transition to third pillar action may be triggered by rapid deterioration or failure of earlier efforts. This layered approach allows R2P to function both for crisis prevention and as a basis for response when prevention fails.

The 2009 Secretary-General's report also emphasized the importance of timely information, early warning mechanisms and coordinated action across the UN system. It called for the appointment of a Special Adviser on the Responsibility to Protect and recommended closer integration between R2P principles and other UN functions,

⁵⁸ United Nations Secretary-General. *Implementing the Responsibility to Protect*, p. 10

⁵⁹ Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*. Polity Press, 2009

⁶⁰ Thakur, Ramesh. *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*. Cambridge University Press, 2006

including peacekeeping, human rights monitoring and development programming.⁶¹ These proposals aimed to embed R2P within the everyday operations of the UN, ensuring that it was not relegated to rhetorical affirmations but made a concrete difference.

Despite these advances, the practical implementation of the three pillars has remained uneven. While many states have expressed rhetorical support for R2P, their willingness to act, particularly under the third pillar, has been inconsistent and often politicized. The failure to intervene in Syria despite widespread atrocities, contrasted with the rapid invocation of R2P in Libya, has led to criticism that the doctrine is applied selectively.⁶² These criticisms have highlighted the need for greater transparency, accountability and reform within UNSC, including limiting the use of veto in atrocity situations.

Nonetheless, the articulation of the three pillars has provided a coherent structure for understanding and applying R2P. It represents a significant step toward bridging the gap between the ideal of human protection and the realities of international politics. By maintaining intervention in a range of preventive and cooperative measures, the three-pillar framework offers a more holistic and less confrontational vision of collective responsibility.

1.4. Early Implementations of R2P

1.4.1. Darfur and Kenya: Contrasting Applications of R2P

The crises in Darfur and Kenya serve as two contrasting early examples of the Responsibility to Protect in action, illustrating both the doctrine's promise and its limitations. These cases are crucial to understanding the initial challenges and ambiguities in implementing R2P, reflecting the tension between international rhetoric and concrete intervention.

The crisis in Darfur (Sudan), which began in 2003, was marked by brutal violence perpetrated by Arab militias backed by the government. This conflict, which resulted in mass killings, forced displacement, rape and widespread destruction of villages, was

⁶¹ United Nations Secretary-General. *Implementing the Responsibility to Protect*, pp. 15–17

⁶² Hehir, Aidan. *The Responsibility to Protect: Rhetoric, Reality and the Future of Humanitarian Intervention*. Palgrave Macmillan, 2012

widely regarded as a case of ethnic cleansing or even genocide. Despite its seriousness, the international response was characterized by hesitancy and fragmentation. Although the UN Secretary-General Kofi Annan invoked the emerging concept of R2P as early as 2004, urging decisive action, the international community failed to respond effectively. The African Union's initial deployment of the African Union Mission in Sudan (AMIS) in 2004 was a limited effort, obstructed by inadequate funding and a weak mandate⁶³. Eventually, the United Nations authorized a hybrid mission, the African Union/United Nations Hybrid operation in Darfur (UNAMID), through Security Council Resolution 1769 in 2007⁶⁴. However, despite becoming one of the largest peacekeeping missions in history, UNAMID struggled to protect civilians due to restricted access, ongoing hostilities and insufficient political support. Political divisions among Security Council members, particularly China and Russia who maintained ties with Sudan, softened the international response⁶⁵. Even the International Criminal Court's indictment of Sudanese President Omar al-Bashir, accused of genocide and crimes against humanity, proved symbolic, as many states refused to enforce the arrest warrant⁶⁶. Darfur thus exposed the gap between the theoretical endorsement of R2P and its practical implementation, demonstrating how geopolitical interests could override humanitarian principles.

In contrast, the 2007-2008 post-election violence in Kenya highlighted R2P's potential for preventive and non-coercive action. Following a disputed presidential election, ethnic violence erupted, resulting in over 1,100 deaths and the displacement of hundreds of thousands⁶⁷. The international response was swift and diplomatic rather than military. The African Union, under the leadership of former UN Secretary-General Kofi Annan, facilitated a mediation process that led to an agreement that shared the power between the opposing parties⁶⁸. This diplomatic intervention was supported by a coalition of international actors, including the United Nations, the European Union and the United States. Unlike Darfur, where R2P was invoked without effective action, the Kenyan crisis showed that early coordinated diplomatic engagement could prevent mass atrocities. The

⁶³ Williams, Paul D. *War and Conflict in Africa*. Polity Press, 2011

⁶⁴ United Nations Security Council. Resolution 1769 (2007), S/RES/1769

⁶⁵ Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*. Polity Press, 2009

⁶⁶ International Criminal Court. "Warrant of Arrest for Omar Hassan Ahmad Al Bashir," ICC-02/05-01/09

⁶⁷ Human Rights Watch, *Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance*, March 2008

⁶⁸ Kofi Annan Foundation, *Kenya National Dialogue and Reconciliation: One Year On*, 2009

inclusion of regional organizations, such as the African Union, enhanced the legitimacy of the process and demonstrated that local leadership could play a decisive role in conflict resolution⁶⁹. However, while the Kenyan intervention successfully prevented further violence, it did not resolve the underlying political and ethnic tensions, which continued to challenge the country in the years that followed.

These two cases underscore the inconsistent application of R2P in practice. In Darfur, the doctrine was invoked as a justification for international concern but failed to prevent atrocities due to weak enforcement mechanisms and political divisions. As Alex Bellamy said, ‘R2P was invoked more often than implemented’.⁷⁰ In Kenya, R2P’s preventive dimension was effectively applied, showcasing how diplomatic and regional mechanisms could avert escalation⁷¹. However, the contrast between the two reveals a critical insight: while R2P can be a powerful tool for preventive diplomacy, its impact is severely limited when enforcement depends on the willingness of powerful states or the absence of geopolitical interests. Understanding these early implementations is essential for assessing the evolution of R2P, highlighting the need for stronger and more consistent mechanisms to ensure that the principle does not remain a rhetorical tool but becomes a reliable framework for protecting populations at risk.

1.4.2. Critical Reactions and International Reception

The initial applications of the Responsibility to Protect doctrine generated significant debate among policymakers, scholars and civil society. While the principle was welcomed in theory as a necessary evolution in international norms, its implementation raised questions about legitimacy, coherence and the political dynamics surrounding its invocation. The global reaction to these early cases highlighted not only a growing normative consensus on the need to prevent mass atrocities, but also deep tensions around sovereignty, selectivity and geopolitical interest.

⁶⁹ Williams, Paul D., “The African Union’s Role in Peace Operations,” *International Affairs*, Vol. 89, No. 1, 2013

⁷⁰ Bellamy, Alex J. “Responsibility to Protect in the Real World: The Case of Darfur.” *Global Responsibility to Protect*, vol. 1, no. 3, 2009, pp. 305–325

⁷¹ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006

One of the most frequent criticisms of R2P's application in Darfur was the international community's delayed and fragmented response. Although the situation in Sudan's western region had already escalated by the early 2000s, with reports of mass killings, ethnic cleansing and large-scale displacement, states fell short of addressing the scale of the crisis. The United Nations Security Council did pass a series of resolutions, including Resolution 1556 in 2004 and 1706 in 2006, but these were often counterbalanced by political compromises and lacked enforcement mechanisms⁷². Many observers argued that the UNSC's failure to act decisively undermined the credibility of R2P, suggesting that even with an emerging norm, geopolitical self-interest continued to outweigh humanitarian urgency⁷³.

By contrast, the response to Kenya's post-election violence was seen as a successful and non-coercive application of R2P's second pillar. International actors, led by the African Union and supported by the UN, EU and key Western states, intervened quickly through mediation and diplomacy to prevent the escalation of violence⁷⁴. This model was praised for its emphasis on regional ownership and early engagement. However, even this case provoked debate. Critics pointed out that the absence of major strategic interests in Kenya among the UNSC's permanent members facilitated consensus, an element rarely present in other contexts⁷⁵. This observation reinforced the concern that R2P's application remained inconsistent, dependent less on normative commitment than on political convenience.

The inconsistent reception of R2P also reflected structural challenges in the international system. The UNSC's decision-making process, particularly the veto power of its five permanent members (P5), was often seen as an obstacle to consistent and impartial application of the doctrine. In Darfur, and later in Syria, the divisions among P5 members, rooted in divergent strategic interests, blocked the Council from taking meaningful action⁷⁶. Additionally, human rights advocacy groups like Human Rights Watch and the

⁷² United Nations Security Council, Resolutions 1556 (2004) and 1706 (2006)

⁷³ Bellamy, Alex J., *Responsibility to Protect*, Polity Press, 2009, p. 107

⁷⁴ Kofi Annan Foundation, *Kenya National Dialogue and Reconciliation: One Year On*, 2009

⁷⁵ Ayooob, Mohammed, "Humanitarian Intervention and State Sovereignty," *International Journal of Human Rights*, 2002

⁷⁶ United Nations, "Security Council Deadlock on Syria," 2011–2015

International Crisis Group frequently criticized governments for failing to uphold their commitments and for invoking R2P only when politically convenient⁷⁷.

Academically, the early cases led to the increase of literature evaluating R2P's effectiveness and limitations. Scholars like Gareth Evans, one of the creators of the concept, maintained that despite setbacks, R2P was a major normative advancement that had reshaped the discourse on intervention⁷⁸. Others, such as Edward Luck, emphasized the importance of building political consensus and institutional mechanisms to operationalize the doctrine more effectively⁷⁹. Meanwhile, critical theorists and post-colonial scholars voiced concern over the potential for selective enforcement and the erosion of state sovereignty without adequate safeguards.

In sum, the initial international reactions to the early implementations of R2P were mixed, characterized by both optimism and skepticism. While the doctrine was considered as a transformative norm, its uneven application exposed the challenges of aligning political will with humanitarian ideals. The cases of Darfur and Kenya illustrated the doctrine's potential and its pitfalls: success when actors are aligned and proactive, and failure when strategic interests or institutional limitations intervene. This tension between principle and practice would become even more pronounced in subsequent interventions, particularly in Libya, where R2P's future as a credible norm would be profoundly tested.

⁷⁷ Human Rights Watch, "The Responsibility to Protect: Challenges and Opportunities," 2010.

⁷⁸ Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Brookings Institution Press, 2008

⁷⁹ Luck, Edward C., "The Responsible Sovereign," *International Relations*, 2009

2. Chapter II

Literature Review

The Responsibility to Protect has been the subject of extensive academic debate, generating a complex web of interpretations that reflect legal, ethical, and political tensions. The doctrine's theoretical foundations are contested, with disagreements over its status as a legal norm, the scope of its application and its vulnerability to selective enforcement. Engaging with this literature is essential to unpack the competing narratives that have shaped R2P's evolution and practice. By studying these perspectives, it becomes possible to identify the gaps and contradictions that have allowed R2P to be manipulated for purposes beyond its humanitarian mandate.

2.1. R2P in the Academic Debate

2.1.1. Supporters of R2P: Normative and Humanitarian Perspectives

The Responsibility to Protect has gained substantial support among diplomats, scholars and humanitarian organizations who view it as a necessary evolution in international norms, transforming the concept of sovereignty from a right to a responsibility.

Supporters of R2P emphasize that it is fundamentally a humanitarian principle aimed at preventing human suffering. They argue that the doctrine represents a critical response to the failures of the 1990s, such as the Rwandan genocide and the massacre in Srebrenica, where international inaction led to catastrophic loss of many lives⁸⁰. For them, R2P is not about undermining state sovereignty, but rather about redefining it as a responsibility that states owe to their populations. If a state is unable or unwilling to protect its citizens, the international community has not only the right but the duty to intervene⁸¹.

Normatively, R2P has been described as a significant step forward in the evolution of international law and ethics. Scholars like Gareth Evans have argued that the doctrine reaffirms the ethical goal of the international community to prevent suffering, placing

⁸⁰ Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Brookings Institution Press, 2008, p. 25

⁸¹ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 76

human rights above traditional notions of non-interference⁸². According to Evans, R2P is a "global moral commitment" that seeks to ensure that the world never again stands by while mass atrocities occur⁸³. This moral foundation is embraced by humanitarian organizations such as Human Rights Watch and Amnesty International, which have consistently called for the implementation of R2P in crisis situations.

Legally, R2P has also been recognized as an emerging norm of international law, though it is not yet fully codified as a binding treaty. Advocates contend that the adoption of R2P at the 2005 World Summit and its reaffirmation in subsequent United Nations Security Council resolutions have solidified its status as a legitimate basis for international action⁸⁴. For supporters, this institutionalization of R2P provides a framework for mobilizing diplomatic, economic and, if necessary, military measures to protect civilian populations from mass atrocities.

2.1.2. Critics of R2P: Realism, Neocolonialism, and Power Politics

While the Responsibility to Protect has been lauded as a humanitarian and normative advancement in international relations, it received many critics. Realist scholars have claimed that R2P is inherently susceptible to manipulation by powerful states, transforming a humanitarian doctrine into a tool of geopolitical influence. According to this perspective, R2P is less about protecting vulnerable populations and more about providing a moral justification for interventions that serve the strategic interests of dominant global powers. Realists claim that state behavior in international relations is ultimately driven by national interests rather than altruistic commitments, and they argue that R2P has often been selectively applied, reflecting the interests of Western states rather than any consistent ethical standard⁸⁵.

One of the most prominent reasons behind the critics is its selective application. Cases where R2P was invoked to justify military intervention are frequently contrasted with

⁸² Evans, Gareth, *The Responsibility to Protect*, Polity Press, 2009, p. 15

⁸³ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 45

⁸⁴ United Nations General Assembly, *2005 World Summit Outcome Document*, A/RES/60/1, 2005

⁸⁵ Mearsheimer, John J., *The Tragedy of Great Power Politics*, W.W. Norton & Company, 2001, p. 12

situations where despite clear evidence of mass atrocities, the international community failed to take decisive action⁸⁶. Critics contend that this inconsistency exposes R2P as a doctrine manipulated by the United Nations Security Council, particularly its permanent members who possess veto power. In such situations, the UNSC's ability to act is less a function of humanitarian necessity than of the geopolitical interests of the United States, Russia, China, France and the United Kingdom⁸⁷.

Beyond concerns of selectivity, critics have also raised alarm about the potential neocolonial dimensions of R2P. Post-colonial theorists argue that R2P can be "seized" by powerful states to impose their will on weaker nations under the guise of humanitarianism⁸⁸. They contend that the wording "saving populations from oppressive governments" can serve as a pretext for regime change. For these critics, R2P risks becoming a modern form of imperialism, where powerful states dictate the conditions of sovereignty and intervene in the domestic affairs of other countries without sufficient accountability⁸⁹.

Furthermore, the focus on military intervention as a means of implementing R2P has also been criticized. Humanitarian organizations like Médecins Sans Frontières have argued that the militarization of humanitarianism undermines the core values of the doctrine, shifting attention away from prevention and peaceful conflict resolution⁹⁰. Instead of serving as a last resort, military intervention has often been used as the primary method of enforcing R2P, overshadowing diplomatic and preventive measures. This reliance on force not only destabilizes the target countries but also damages the credibility of the doctrine itself.

⁸⁶ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 123

⁸⁷ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 92

⁸⁸ Ayoob, Mohammed, "Humanitarian Intervention and State Sovereignty," *International Journal of Human Rights*, 2002

⁸⁹ Mamdani, Mahmood, *Saviors and Survivors: Darfur, Politics, and the War on Terror*, Pantheon Books, 2009, p. 281

⁹⁰ Médecins Sans Frontières, "Humanitarianism in Crisis: R2P and the Limits of Military Intervention," 2013

2.1.3. The Tension Between Theory and Practice

Although R2P has been mostly celebrated as an achievement in international relations, yet there's a huge gap between its theoretical promises and practical implementation. While R2P, in theory, is framed as a doctrine aimed at protection, its application has frequently been inconsistent, selective and shaped by political considerations. This divide between theory and practice has led some scholars to question the true utility and purpose of R2P as a humanitarian norm, suggesting that it functions more as a rhetorical device than a reliable framework for action⁹¹.

Firstly, the gap is evident when it comes to the behavior of the United Nations Security Council. Theoretically, the UNSC should foster R2P initiatives in face of mass atrocities. Nevertheless, in practice, even though the ICISS proposed a 'code of conduct' for it, in reality the UNSC's decisions are often influenced by the geopolitical interests of the five permanent members (P5): the United States, France, Russia, the United Kingdom and China. The use of veto power by any of these states can block R2P interventions, even in cases where mass atrocities are evident, thereby generating selectivity.

Moving on, the implementation of R2P has often been criticized for its overreliance on military intervention, despite the doctrine's theoretical emphasis on prevention and peaceful resolution. The Libyan intervention, initially justified as a measure to protect civilians, rapidly evolved into a regime change operation, leading to widespread instability and a prolonged civil war⁹². This result has been cited as evidence that R2P can be easily manipulated to justify the use of force, even when less aggressive measures could be effective.

In addition to the previous problems, the effectiveness of R2P has been obstructed by a lack of clear practical guidelines for implementation. Although the doctrine is built on three pillars (state responsibility, international assistance and international intervention), the criteria for moving from one pillar to the next remain too vague. This ambiguity has

⁹¹ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 67

⁹² Kuperman, Alan J., "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign," *International Security*, Vol. 38, No. 1 (2013), pp. 105–136

enabled states to interpret the theories concerning R2P in ways that align with their interests while avoiding accountability for inaction in cases where intervention is politically or economically inconvenient⁹³. As a result, R2P's credibility has suffered, with its theoretical promise of universal protection undermined by the realities of power politics.

Ultimately, the tension between the theory of R2P and its practice reveals the challenges of translating normative ideals into consistent international action. While R2P offers a powerful framework for protecting vulnerable populations, its success depends not only on its normative appeal but also on the willingness of states to prioritize humanitarian principles over strategic interests.

All these disparities have led critics to argue that R2P is not governed by humanitarian principles, but by the strategic interests of powerful states. Without greater institutional accountability and clearer criteria for action, R2P risks being remembered more for its failures than for its promise.

2.1.4. Implications for R2P's Credibility and Legitimacy

The selective and inconsistent application of the Responsibility to Protect has profoundly affected its credibility and legitimacy as an international norm. Indeed, R2P has become a subject of skepticism and criticism, largely due to the perception that it is wielded according to the geopolitical interests of powerful states. This decline in credibility is not a mere theoretical concern but a practical reality that undermines the very foundation of the doctrine. If R2P is perceived as a tool of great power manipulation rather than a universal moral obligation, its ability to prevent and respond to mass atrocities is significantly compromised ⁹⁴.

One of the most significant consequences of selective R2P application is the loss of trust among states, particularly those in the Global South. As beforementioned, many of these states, which have historically experienced external intervention under the pretext of

⁹³ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 189

⁹⁴ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 155

humanitarianism, view R2P with suspicion. Many real-world examples reinforced the belief that R2P is applied based on the strategic interests of the United States, France, the United Kingdom and their allies, while being ignored when the interests of Russia or China are at stake⁹⁵. This perception has led to growing opposition among developing nations, including members of the Non-Aligned Movement (NAM), who argue that R2P is a doctrine manipulated by powerful states to justify interference in the domestic affairs of weaker nations⁹⁶.

As cited before, the credibility crisis surrounding R2P is further exacerbated by the lack of clear and consistent criteria for its implementation. The doctrine's pillars are subject to quite broad interpretation, allowing powerful states to invoke or ignore R2P based on their own preferences. This flexibility, which was intended to allow R2P to adapt to diverse situations, has instead enabled its misuse. The result is a doctrine that is both powerful in theory and unreliable in practice, so consequently an unreliable doctrine.

Moreover, the perception of R2P as a selective instrument has also weakened its normative value. For a doctrine to be recognized as an international norm, it must be applied consistently, based on principles rather than politics. R2P's reputation as a doctrine driven by geopolitical interests rather than humanitarian necessity has led to a decline in international support, particularly among states that fear becoming future targets of intervention⁹⁷. As these states grow more resistant to R2P, the likelihood of building consensus around its application diminishes, making it even harder for the international community to respond effectively to mass atrocity situations.

⁹⁵ Kuperman, Alan J., "Lessons from Libya: How Not to Intervene," *Policy Review*, 2013

⁹⁶ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 230

⁹⁷ Ayoob, Mohammed, "Humanitarian Intervention and State Sovereignty," *International Journal of Human Rights*, 2002

2.2. The Role of Law and International Organizations

2.2.1. The United Nations Charter, the Use of Force Norms and Structural Imbalances in the UN System

The Responsibility to Protect doctrine is deeply rooted in the principles of international law but operates within a way more complex model defined by the United Nations Charter. This Charter, the cornerstone of modern international law, enshrines two fundamental principles: the prohibition of the use of force (Article 2(4)) and the protection of state sovereignty (Article 2(7))⁹⁸. These provisions are designed to preserve international peace and security, shielding states from external interference. However, they also impose significant constraints on the international community's capacity to intervene in cases of mass atrocities.

Particularly, the prohibition of the use of force under Article 2(4) is a foundational principle of the UN system, reflecting the post-World War II commitment to prevent the recurrence of global conflicts. This principle is aimed at maintaining international order by prohibiting states from using force against the territorial integrity or political independence of any state. Yet, this restriction is not absolute. Two key exceptions are recognized within the UN Charter: the right of individual or collective self-defense under Article 51 and the use of force authorized by the Security Council under Chapter VII⁹⁹, which is empowered to determine threats to international peace and take necessary measures, including military action.

The Security Council, as the primary body responsible for maintaining international peace and security, is composed of fifteen members, but real decision-making power rests with the five permanent members. Each possesses veto power, enabling them to unilaterally block any substantive resolution¹⁰⁰. This mechanism, originally designed to ensure that the major powers would remain engaged in the UN system rather than bypassing it entirely, has instead become a tool for protecting the geopolitical interests of these states,

⁹⁸ United Nations, *Charter of the United Nations*, Article 2(4) and Article 2(7)

⁹⁹ United Nations, *Charter of the United Nations*, Article 51 and Chapter VII

¹⁰⁰ United Nations, *Charter of the United Nations*, Article 27

even at the expense of humanitarian principles¹⁰¹. By consequence, this concentration of power has consistently exposed R2P to the strategic interests of the P5, undermining its humanitarian objectives.

The structural imbalance within the UNSC is a critical factor in this selective use. The veto power effectively allows the P5 to protect their allies or strategic interests, even in the face of severe human rights violations. This imbalance is not merely a procedural issue but a reflection of the geopolitical reality that governs the UN. Decisions on intervention, even under humanitarian pretenses like R2P, are inevitably influenced by the calculations of these powerful states. The result is a system where the enforcement of international norms, including R2P, is inconsistent, shaped more by political bargaining than by humanitarian principles.

This structural imbalance is further aggravated by the lack of accountability for the P5. While they hold the power to determine the course of international action, they are not subject to any higher authority within the UN system¹⁰². This has led to a persistent double standard, where powerful states can selectively apply international law while remaining immune to its consequences. As a result, R2P is consistently challenged by the selective manner in which it is applied.

2.2.2. Interests of Permanent Members

The selective application of the Responsibility to Protect is not merely a consequence of the veto power held by the permanent members of the United Nations Security Council, but also a direct reflection of the geopolitical interests of these states. The P5 are not neutral actors in international affairs. Instead, their decisions on whether to support, oppose, or remain indifferent to R2P interventions are consistently shaped by their strategic, economic and political interests. This reality directly undermines the claim that R2P is a universal humanitarian doctrine, revealing how its application is instead dictated by great power politics.

¹⁰¹ Libro di diritto internazionale

¹⁰² Ibid.

The United States and its Western allies, France and the United Kingdom, have historically supported R2P interventions in regions where they have strategic interests, particularly in the Middle East and North Africa. The 2011 intervention in Libya that will be discussed later serves as a case in point. While the stated objective was to protect civilians from the Gaddafi regime, the rapid escalation from civilian protection to regime change suggested that broader geopolitical objectives were at play, including the desire to reshape the region in a manner favorable to Western influence and to secure access to Libya's significant oil reserves¹⁰³. Conversely, in regions where Western powers lack strategic interests, such as Myanmar or the Central African Republic, their support for R2P has been limited to diplomatic statements rather than meaningful action.

Russia and China, on the other hand, have consistently opposed R2P interventions that threaten their allies or undermine their strategic influence. This pattern is most evident in the Syrian conflict, where Russia has repeatedly used its veto to block resolutions condemning the Assad regime¹⁰⁴. As a close ally of Syria, and with its only Mediterranean naval base located at Tartus, Russia's opposition to intervention was driven by both strategic and security considerations. China, which has traditionally adhered to a policy of non-interference in the domestic affairs of sovereign states, has also used its veto to shield its allies, viewing R2P as a potential tool for Western interference in domestic politics¹⁰⁵.

The interests of the P5 are not limited to military or security concerns. Economic factors also play a crucial role. China's investments in African nations have led it to oppose R2P measures that might threaten the stability of its economic partners, even in the face of clear humanitarian crises¹⁰⁶. Similarly, Russia has used its influence to protect states that align with its energy interests or provide a counterbalance to Western influence in international affairs. This strategic calculus means that R2P is not applied based on

¹⁰³ Kuperman, Alan J., "Lessons from Libya: How Not to Intervene," *Policy Review*, 2013

¹⁰⁴ United Nations Security Council, "Vetoed Resolutions on Syria," 2011-2015

¹⁰⁵ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 244

¹⁰⁶ Zifcak, Spencer, "The Responsibility to Protect after Libya and Syria," *Melbourne Journal of International Law*, 2012

objective humanitarian criteria, but rather according to the political, economic and strategic priorities of the world's most powerful states.

2.2.3. UN Security Council vs UN General Assembly

Said that, it is evident that a significant burden is placed on the United Nations Security Council. This is the reason why the United Nations General Assembly (UNGA) has been seen as a potential alternative for upholding R2P's principles, particularly in situations where the Security Council is deadlocked.

The General Assembly's Uniting for Peace resolution, adopted in 1950, provides a legal basis for the General Assembly to take action in cases where the Security Council fails to maintain international peace and security due to lack of unanimity among its permanent members¹⁰⁷. This resolution has been invoked on several occasions, including in the context of the Korean War and, more recently, in relation to the Syrian conflict, where the General Assembly adopted resolutions condemning atrocities despite the Security Council's paralysis¹⁰⁸. However, while the General Assembly can issue resolutions, these are non-binding and lack the enforcement mechanisms of Security Council resolutions.

The disparity between the Security Council's binding authority and the General Assembly's limited influence further highlights the structural imbalance within the UN system. While the General Assembly can provide a platform for moral condemnation and building consensus, it lacks the power to authorize the use of force or impose sanctions, leaving it dependent on the Security Council for any meaningful enforcement. This institutional division has significant implications for R2P's credibility, as it means that the doctrine's implementation is ultimately subject to the approval of a few powerful states rather than a truly global consensus¹⁰⁹.

¹⁰⁷ United Nations General Assembly, *Resolution 377 (V) - Uniting for Peace*, 1950

¹⁰⁸ United Nations General Assembly, "Resolution on the Situation in Syria," A/RES/66/253 (2012)

¹⁰⁹ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 179

2.2.4. Proposals for Reform and Accountability

The selective and inconsistent application of the Responsibility to Protect has not only undermined its credibility but has also prompted widespread calls for reform. International organizations, diplomats and scholars have proposed various mechanisms to enhance the accountability, transparency, and consistency of R2P's application, aiming to ensure that it functions as a genuine humanitarian doctrine rather than an instrument of great power politics.

One of the most significant reform proposals has focused on limiting the use of the veto by the permanent members of the United Nations Security Council in cases of mass atrocity crimes. The French-Mexican initiative, for example, advocates for a voluntary restraint on the use of the veto when dealing with situations involving genocide, war crimes, ethnic cleansing or crimes against humanity¹¹⁰. This proposal, supported by numerous UN member states, is intended to prevent the P5 from blocking humanitarian interventions solely to protect their allies or strategic interests. While this initiative has gained significant rhetorical support, it remains non-binding and none of the P5 have formally committed to it, demonstrating their privileged status¹¹¹.

A second important proposal is the ACT (Accountability, Coherence, and Transparency). The ACT group is an interregional initiative of 27 United Nations member states, established in 2013 with the aim of enhancing the functionality of the UN Security Council through increased accountability, coherence and transparency. In 2015, the group introduced a "Code of Conduct regarding Security Council Action against Genocide, Crimes against Humanity, or War Crimes."¹¹² This code calls on all UNSC members, both permanent and elected, to refrain from voting against credible draft resolutions aimed at preventing or halting mass atrocities. It is built upon five main commitments: supporting timely and decisive Security Council action to prevent or end genocide, crimes against humanity or war crimes; refraining from opposing credible resolutions addressing

¹¹⁰ Permanent Mission of France to the United Nations, *French-Mexican Initiative on the Veto*, 2015

¹¹¹ United Nations General Assembly, "Letter dated 9 July 2015 from the Permanent Representatives of France and Mexico to the United Nations addressed to the Secretary-General," A/70/621

¹¹² Accountability, Coherence and Transparency (ACT) Group, "Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes," 14 December 2015.

such crises; inviting the UN Secretary-General to bring to the Council's attention situations that could lead to such crimes; fully and promptly considering these assessments by the Secretary-General; and encouraging other UN member states to commit to this code.¹¹³ As of 2023, 129 UN member states or observers have endorsed the code, including two permanent members of the UNSC (France and the United Kingdom) representing approximately two-thirds of the UN General Assembly.¹¹⁴ This widespread support demonstrates significant backing for a more responsible and responsive Security Council, especially in contexts of severe human rights violations. The ACT group continues to advocate for reforms aimed at improving the Security Council's working methods, promoting greater transparency in its operations and enhancing the inclusion of non-permanent members in decision-making processes.¹¹⁵

Another proposed reform is the enhancement of the role of the United Nations General Assembly (UNGA) in R2P situations. The Uniting for Peace resolution, which allows the General Assembly to take action when the Security Council is deadlocked, has been suggested as a mechanism for bypassing the veto and enabling a more democratic decision-making process¹¹⁶. However, the non-binding nature of General Assembly resolutions and the absence of enforcement mechanisms limit the practical impact of this approach. Nevertheless, the increased use of the General Assembly in recent crises demonstrates its potential as a forum for maintaining international pressure and legitimacy¹¹⁷.

Further reforms have focused on the need for clearer criteria for R2P's invocation. Gareth Evans has advocated for the adoption of a "threshold of harm" model, which would establish specific conditions under which R2P could be triggered, such as the presence of mass atrocity crimes verified by independent investigations¹¹⁸. This model would reduce

¹¹³ Global Centre for the Responsibility to Protect. "Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes." 2015

¹¹⁴ "129 states set an example for responsible action in the case of war crimes." A Plus for Peace, 2 May 2023

¹¹⁵ Ibid.

¹¹⁶ United Nations General Assembly, *Resolution 377 (V) - Uniting for Peace*, 1950

¹¹⁷ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 221

¹¹⁸ Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Brookings Institution Press, 2008, p. 135

the risk of subjective interpretations and ensure that R2P is applied based on objective humanitarian criteria rather than political convenience.

Additionally, proposals have been made to enhance regional organizations' role in implementing R2P, particularly in cases where the Security Council is deadlocked. The African Union's experience in Kenya in 2008 demonstrates how regional actors can effectively mediate and prevent violence without resorting to coercive measures¹¹⁹. Strengthening the capacity of regional organizations to engage in preventive diplomacy, monitor crises and provide humanitarian support would reduce reliance on the Security Council and enhance the legitimacy of R2P interventions.

In conclusion, while R2P has been criticized for its selective and inconsistent application, these reform proposals offer potential pathways to restore its credibility as a humanitarian doctrine. However, the effectiveness of these proposals ultimately depends on the willingness of powerful states, particularly the P5, to relinquish some of their privileges and commit to a more equitable and accountable system. Unless such reforms are implemented, R2P is likely to remain a doctrine vulnerable to geopolitical manipulation, failing to fulfill its original humanitarian promise.

2.2.5. The Influence of Regional Organizations

The Responsibility to Protect has not only been shaped by the dynamics of the United Nations but has also been significantly influenced by regional organizations, which have played a crucial role in its application. Regional organizations, such as the African Union (AU) and the Arab League, have been both advocates and critics of R2P, reflecting the complicated relationship between regional norms and global governance. Their involvement in R2P cases has highlighted the importance of local legitimacy and regional ownership in determining the credibility and effectiveness of international interventions.

The African Union, for instance, has developed its own normative framework that aligns with R2P, specifically in Article 4(h) of the AU Constitutive Act, which authorizes the organization to intervene in member states in cases of war crimes, genocide, and crimes

¹¹⁹ Kofi Annan Foundation, *Kenya National Dialogue and Reconciliation: One Year On*, 2009

against humanity¹²⁰. This provision, which predates the global adoption of R2P, demonstrates the AU's commitment to atrocity prevention within the continent. However, the AU's approach to R2P has been characterized by a preference for mediation and political solutions over military intervention. This was evident in the Kenyan crisis of 2008, where the AU, led by Kofi Annan, successfully mediated a power-sharing agreement, preventing the escalation of violence without the need for coercive measures¹²¹. This case highlighted the AU's capacity to implement R2P principles in a manner that emphasized diplomacy over force.

Conversely, the Arab League's engagement with R2P has been more ambiguous. In 2011, the Arab League played a pivotal role in the adoption of UNSC Resolution 1973, which authorized the use of force in Libya under R2P. The League's endorsement provided regional legitimacy to the intervention, but the subsequent transition from protecting civilians to facilitating regime change led to criticism that R2P had been manipulated for strategic purposes¹²². Following the Libyan experience, the Arab League has been more cautious in its endorsement of international interventions, as seen in its reluctance to support coercive measures in the Syrian conflict.

2.3. Legal and Normative Interpretations of R2P

2.3.1. Customary Law vs Soft Law Debate

The Responsibility to Protect has always occupied a contested space within international relations and international law, caught between the fields of customary law and soft law. This ambiguity is central to understanding the doctrine's selective application and its susceptibility to geopolitical manipulation, which directly connects to the research question of this thesis. As a concept, R2P was never codified as a binding international treaty because it was adopted only as a political commitment at the 2005 World

¹²⁰ African Union, *Constitutive Act of the African Union*, Article 4(h), 2000

¹²¹ Kofi Annan Foundation, *Kenya National Dialogue and Reconciliation: One Year On*, 2009

¹²² United Nations Security Council, "Resolution 1973 (2011) on Libya," S/RES/1973 (2011)

Summit¹²³. This status as a non-binding norm has significant implications for how R2P is interpreted and applied.

Supporters of R2P argue that despite its status as soft law, the doctrine has gained normative force through repeated references in UNSC resolutions, General Assembly debates and international discourse¹²⁴. They claim that the frequent invocation of R2P in these contexts has contributed to the gradual emergence of a customary norm, one that obliges states to protect populations from mass atrocities and empowers the international community to intervene when states fail to do so¹²⁵. According to this view, R2P has evolved beyond a mere political commitment and now represents an emerging principle of customary international law, even if it lacks the formal status of a binding legal rule.

However, this interpretation is highly contested. Opponents argue that R2P's normative force is undermined by its inconsistent application and the lack of clear and universally accepted criteria for its invocation. Unlike established customary norms, which are characterized by consistent state practice and a sense of legal obligation (*opinio juris*), R2P's implementation has been highly selective, determined more by the geopolitical interests of the UNSC's permanent members than by any uniform legal standard¹²⁶. The doctrine's reliance on UNSC authorization, where the veto power of the P5 can block action even in the face of clear mass atrocities, further weakens any claim that R2P has attained the status of customary law¹²⁷.

This tension between R2P as an emerging norm and its status as a soft law instrument is extremely important to grasp its selective application. Since R2P lacks the clarity and enforceability of customary international law, it remains vulnerable to manipulation. Its invocation is determined not by consistent universal criteria, but by the interests and strategies of those with the power to authorize or block action. This legal ambiguity is not

¹²³ United Nations General Assembly, *2005 World Summit Outcome Document*, A/RES/60/1, paragraphs 138-139

¹²⁴ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 72

¹²⁵ Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Brookings Institution Press, 2008, p. 129

¹²⁶ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 91

¹²⁷ Zifcak, Spencer, "The Responsibility to Protect after Libya and Syria," *Melbourne Journal of International Law*, 2012

only an academic issue, it is a practical reality that directly affects the doctrine's credibility and effectiveness, as subsequent sections of this thesis will demonstrate.

2.3.2. Intersection with International Humanitarian Law

The R2P doctrine is often framed as a moral and political commitment to prevent mass atrocities, but it also intersects significantly with established principles of International Humanitarian Law (IHL). This intersection is critical because it reveals the extent to which R2P is grounded in existing legal norms, yet also exposes the challenges of applying these norms consistently in practice.

International Humanitarian Law, known as the law of armed conflict, is designed to regulate the conduct of hostilities and protect those who are not participating in combat, such as civilians, prisoners of war and medical personnel¹²⁸. The Geneva Conventions of 1949 and their Additional Protocols form the core of IHL, establishing a legal picture that prohibits deliberate attacks on civilians, the use of indiscriminate weapons and other acts that constitute war crimes¹²⁹. These principles are directly relevant to R2P because the doctrine explicitly aims to protect populations from four specific crimes: genocide, war crimes, ethnic cleansing and crimes against humanity¹³⁰. Each of these crimes is also defined and prohibited under IHL.

However, while R2P draws heavily on IHL in defining its objectives, it departs from traditional humanitarian law in one crucial respect: it explicitly permits international intervention in the domestic affairs of sovereign states when they fail to protect their populations. IHL, by contrast, is primarily concerned with the conduct of warfare and the protection of non-combatants, rather than authorizing external interventions to prevent atrocities. This distinction places R2P in a delicate position, caught between a normative commitment to protecting civilians and the legal constraints of state sovereignty¹³¹. As a

¹²⁸ International Committee of the Red Cross (ICRC), *What is International Humanitarian Law?*, 2004

¹²⁹ Geneva Conventions of 1949 and Additional Protocols of 1977

¹³⁰ United Nations General Assembly, *2005 World Summit Outcome Document*, A/RES/60/1, paragraphs 138-139

¹³¹ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 92

result, the application of R2P has often been characterized by tension between these two frameworks.

2.4. Legal and Ethical Tensions of R2P

2.4.1. The Ethics of Intervention: Just War Theory and Consent

The ethical foundation of the Responsibility to Protect is closely tied to the principles of Just War Theory, a doctrine that has historically been used to evaluate the moral legitimacy of armed interventions. Just War Theory, which dates back to the writings of Augustine and Thomas Aquinas, establishes a set of criteria that must be met for the use of force to be considered just, including just cause, right intention, proportionality and last resort¹³². These principles provide a moral framework for assessing the legitimacy of interventions and they are significant for R2P, which is premised on the idea that military intervention can be justified in order to prevent mass atrocities.

Following Just War Theory, the concept of just cause is particularly important for R2P because, under the doctrine, a just cause for intervention exists when there is a credible threat of genocide, war crimes, ethnic cleansing, or crimes against humanity¹³³. This aligns with the four specific crimes identified in the 2005 World Summit Outcome Document as triggers for R2P¹³⁴. However, the practical application of this principle has been inconsistent, as interventions under R2P have often been influenced by political considerations rather than strict adherence to just cause.

Another critical aspect of Just War Theory is the principle of right intention, which requires that the primary motivation for intervention must be to protect civilian populations, not to advance the intervening state's own interests¹³⁵. This principle has

¹³² Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 37

¹³³ Evans, Gareth, *The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All*, Brookings Institution Press, 2008, p. 63

¹³⁴ United Nations General Assembly, *2005 World Summit Outcome Document*, A/RES/60/1, paragraphs 138-139

¹³⁵ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 119

frequently been violated in the application of R2P, where geopolitical interests have often overshadowed humanitarian objectives.

Furthermore, the principle of consent is central to the ethical legitimacy of interventions under international law. In theory, R2P respects state sovereignty by requiring UNSC authorization for military action, ensuring that interventions are based on collective decision-making rather than unilateral action¹³⁶. However, this system is undermined when the UNSC is deadlocked by the political interests of its P5, leading to selective interventions where consent is either bypassed or manipulated.

2.4.2. Legal Ambiguity: Is R2P Binding or Aspirational?

The Responsibility to Protect exists in a state of legal ambiguity, oscillating between being an aspirational norm and a binding obligation under international law. This ambiguity is at the heart of the doctrine's selective application, as it allows states to interpret it in a manner that suits their interests.

The 2005 World Summit that formally endorsed R2P in paragraphs 138 and 139 is deliberately cautious. It states that the international community is “prepared to take collective action” through the United Nations Security Council in accordance with the UN Charter, but it does not create a legal obligation for intervention¹³⁷. This phrasing reflects a compromise between states that favored a strong and binding R2P, and those that were concerned about the doctrine being used as a pretext for external interference.

The result is a doctrine that has significant normative weight but lacks clear legal status. Scholars like Alex Bellamy have argued that while R2P has become a powerful political norm, it cannot be considered customary international law because it does not meet the criteria of consistent state practice and *opinio juris* (the belief that a norm is legally binding)¹³⁸. Instead, R2P is best understood as a form of “soft law,” a concept that occupies a middle area between political commitments and legally enforceable rules¹³⁹.

¹³⁶ United Nations, *Charter of the United Nations*, Article 2(7)

¹³⁷ Ibid.

¹³⁸ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 62

¹³⁹ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 91

This status allows states to invoke R2P when it aligns with their interests but to disregard it when it does not.

2.4.3. Risk of Misuse: Who Determines 'Just Cause'?

One of the most contentious aspects of R2P is the determination of what constitutes a “just cause” for intervention. As repeatedly said, the 2005 World Summit Outcome Document specifies four crimes that trigger R2P¹⁴⁰, however, while these categories appear clear in theory, their interpretation and application in practice are subject to significant ambiguity. This ambiguity is not only a technical issue, but also a fundamental problem that exposes R2P to the risk of misuse. At the core of this problem is the question of who has the authority to determine when a situation qualifies as a “just cause”.

Technically, in the current international system, this role belongs primarily to the United Nations Security Council which has the authority to authorize R2P interventions under Chapter VII of the UN Charter¹⁴¹. However, this system is inherently flawed because there are no grounds on which it is possible to determine when it is ‘just’ or ‘not enough just’. This makes the decision highly subjective and at this point it is clear that the Security Council’s decisions are influenced by the P5. As a result, this determination is not based on fairness and justice or humanitarian criteria, but rather on political calculations¹⁴².

Furthermore, the ambiguity surrounding “just cause” allows for subjective interpretations from other states as well. Powerful states can manipulate this concept to justify interventions in regions where they have strategic interests while ignoring similar crises elsewhere. This selective application not only undermines the credibility of R2P but also fuels accusations of hypocrisy and double standards. As this thesis will demonstrate, unless clearer criteria for determining “just cause” are established, R2P will continue to be vulnerable to manipulation, serving as a convenient tool for powerful states rather than a consistent humanitarian doctrine.

¹⁴⁰ United Nations General Assembly, *2005 World Summit Outcome Document*, A/RES/60/1, paragraphs 138-139

¹⁴¹ United Nations, *Charter of the United Nations*, Chapter VII

¹⁴² Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 122

2.5. Analytical Framework

2.5.1. Realist Lens: Interests Driving Intervention

The analysis of the Responsibility to Protect within this thesis is fundamentally grounded in a realist perspective of international relations, a theoretical lens that emphasizes the role of state interests, power dynamics and strategic calculations in shaping state behavior. Realism, as a theory, is premised on the idea that states are the primary actors in the international system, driven by the pursuit of their own national interests rather than moral or humanitarian considerations. As Hans Morgenthau argues, international politics is governed by the struggle for power among states, where moral principles are subordinate to the pursuit of national interest¹⁴³. Kenneth Waltz emphasizes that the anarchic structure of the international system compels states to act in ways that ensure their own survival, reinforcing a logic of self-help¹⁴⁴. Similarly, John Mearsheimer contends that great powers are engaged in a constant pursuit of maximizing their relative power to guarantee their security¹⁴⁵. These perspectives are particularly relevant to the research question of this thesis, which seeks to determine the extent to which R2P, originally conceived as a humanitarian doctrine, has been applied selectively and arbitrarily in Libya to serve geopolitical interests.

From a realist standpoint, the selective application of R2P can be explained as a reflection of the power dynamics within the United Nations Security Council, where the five permanent members possess the power to authorize or block interventions under the doctrine. As Mearsheimer highlights, these states are not neutral arbiters of humanitarian principles, rather they are strategic actors that weigh the costs and benefits of intervention based on their national interests¹⁴⁶. The realist view contends that R2P is invoked when it aligns with the strategic objectives of the P5 and ignored when it does not.

The intervention in Libya in 2011 is a clear example of this realist dynamic. Although the mission was justified under R2P as a measure to protect civilians, it rapidly evolved into

¹⁴³ Morgenthau, Hans J., *Politics Among Nations: The Struggle for Power and Peace*, Alfred A. Knopf, 1948, p. 4

¹⁴⁴ Kenneth N. Waltz, *Theory of International Politics* (Reading, MA: Addison-Wesley, 1979), 88.

¹⁴⁵ Mearsheimer, John J., *The Tragedy of Great Power Politics*, W.W. Norton & Company, 2001, p. 29

¹⁴⁶ Ibid.

a regime change operation aimed at removing Muammar Gaddafi from power. As the next chapter will illustrate, critics have argued that the rapid escalation of military action reflected the strategic interests of Western states, particularly France and the United States, which sought to reshape North Africa in a manner favorable to their influence¹⁴⁷. Libya's significant oil reserves and its strategic location further reinforced Western incentives to intervene, raising questions about whether the primary motivation was humanitarian protection or geopolitical gain¹⁴⁸. This outcome directly aligns with the realist view that states use humanitarian justifications as a facade for pursuing their own strategic objectives.

Realism also helps explain the inconsistent international response to other humanitarian crises. In regions of limited strategic value to the great powers, such as the Central African Republic or Myanmar, R2P has been applied primarily through diplomatic statements rather than meaningful action¹⁴⁹. As Waltz suggests, the absence of strategic interests often results in inaction, regardless of the humanitarian situation¹⁵⁰. This disparity reveals a fundamental problem with R2P's claim to be a universal humanitarian doctrine: its invocation is determined not by consistent moral principles, but by the interests of the world's most powerful states. The realist perspective thus provides a critical analytical framework for understanding the selective application of R2P.

Furthermore, the realist lens highlights the inherent contradiction within R2P: while the doctrine is framed as a commitment to protect vulnerable populations, its implementation is entirely dependent on the willingness of states to act. In practice, this means that R2P is not a guarantee of protection but a tool of international politics, applied only when it those with the power to enforce it are willing to enforce it¹⁵¹.

In conclusion, the realist lens provides a analytical picture for understanding the dynamics of R2P. By emphasizing the role of state interests, power politics, and strategic

¹⁴⁷ Kuperman, Alan J., "Lessons from Libya: How Not to Intervene," *Policy Review*, 2013

¹⁴⁸ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 134

¹⁴⁹ Human Rights Watch, "Central African Republic: UN Extends Mandate Despite Limited Action," 2017

¹⁵⁰ Kenneth N. Waltz, *Theory of International Politics* (Reading, MA: Addison-Wesley, 1979), 88.

¹⁵¹ Bellamy, Alex J., *Global Politics and the Responsibility to Protect: From Words to Deeds*, Routledge, 2011, p. 215

calculations, it exposes the gap between the doctrine's humanitarian rhetoric and its selective, interest-driven application.

2.5.2. Criteria for Evaluating R2P's Implementation

The analysis of the Responsibility to Protect in this thesis requires a clear set of criteria to evaluate its implementation. Given that R2P is by nature a normative doctrine, assessing its effectiveness and consistency demands a framework that goes beyond mere political outcomes, focusing instead on the principles it is meant to uphold. It is pivotal to establish key criteria for evaluating R2P's application.

The first and most fundamental criterion for evaluating R2P is adherence to humanitarian principles. As a doctrine rooted in the protection of vulnerable populations, R2P's legitimacy is dependent on its consistent application in response to genuine threats of genocide, war crimes, ethnic cleansing and crimes against humanity¹⁵². This criterion requires an analysis of whether R2P was invoked in response to credible evidence of such crimes, as well as whether the primary objective of the intervention was genuinely humanitarian.

The second criterion is consistency in application, which examines whether R2P has been applied uniformly across different crises. For a doctrine to be considered a credible international norm, it must be applied without bias, regardless of the political, economic or strategic significance of the affected region¹⁵³. However, R2P has been applied in a highly selective manner, with interventions in cases such as Libya but inaction in Myanmar, where the Rohingya population faced ethnic cleansing¹⁵⁴. This inconsistency undermines R2P's credibility, exposing it to accusations of double standards and selective humanitarianism.

The third criterion is legal legitimacy, which focuses on whether R2P interventions were conducted in accordance with international law. This involves examining whether

¹⁵² United Nations General Assembly, *2005 World Summit Outcome Document*, A/RES/60/1, paragraphs 138-139

¹⁵³ Bellamy, Alex J., *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 78

¹⁵⁴ Human Rights Watch, "Myanmar: Crimes against Humanity Targeting the Rohingya," 2017

interventions were authorized by the UNSC under Chapter VII of the UN Charter, whether they were conducted without clear legal authority and the reason behind its invocation¹⁵⁵. The centrality of UNSC authorization means that R2P is vulnerable to the political dynamics of the Council's permanent members (P5).

The fourth criterion is accountability and proportionality, which assesses whether R2P interventions were carried out in a manner that minimized harm to civilians and respected the principles of necessity and proportionality. This is critical for maintaining the doctrine's humanitarian credibility. In Libya, for example, the NATO-led intervention went beyond civilian protection, resulting in significant collateral damage and contributing to the country's prolonged instability¹⁵⁶. Such outcomes raise questions about whether the intervention adhered to the principle of proportionality, a core tenet of international humanitarian law.

Finally, the fifth criterion is commitment to post-intervention rebuilding, which evaluates whether the international community took responsibility for stabilizing and rebuilding the affected state after the crisis. This aspect is crucial because R2P is not only about reacting to mass atrocities but also about ensuring long-term peace and stability. The failure to commit to meaningful post-conflict reconstruction in Libya, where the country descended into chaos following Gaddafi's overthrow, highlights a recurring weakness in the implementation of R2P¹⁵⁷.

These five criteria (humanitarian principles, consistency, legal legitimacy, accountability, and post-intervention rebuilding) will serve as the analytical framework for this thesis. They provide a comprehensive basis for evaluating whether R2P has been applied in Libya as a genuine humanitarian doctrine or manipulated to serve the geopolitical interests of powerful states.

¹⁵⁵ United Nations, *Charter of the United Nations*, Chapter VII

¹⁵⁶ Bellamy, Alex J., *Global Politics and the Responsibility to Protect: From Words to Deeds*, Routledge, 2011, p. 145

¹⁵⁷ Thakur, Ramesh, *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*, Cambridge University Press, 2006, p. 244

3. Chapter III

The 2011 Intervention in Libya: Case Study

The 2011 NATO intervention in Libya stands as a defining moment in the history of the Responsibility to Protect, showing the tensions between humanitarian ideals and geopolitical realities. Framed as a mission to prevent mass atrocities, the intervention quickly shifted toward regime change, raising profound questions about the selective and strategic application of R2P. The Libya case reveals how narratives of urgency, combined with Security Council dynamics and media framing, can shape interventions that diverge from their stated objectives. Analyzing this case critically sheds light on the practical challenges and risks in implementing R2P under complex political conditions.

3.1. Background of the Libyan Crisis

3.1.1. Political and Social Conditions Pre-2011

To understand the dynamics that led to the invocation of the Responsibility to Protect during the 2011 NATO intervention in Libya, it is essential to examine the political and social conditions in the country prior to the uprising. Libya under Muammar Gaddafi was a deeply autocratic regime, characterized by the concentration of power in the hands of one man and a security system designed to suppress opposition. Having come to power in 1969 through a military coup that deposed King Idris I, Gaddafi constructed a political regime rooted in his ideology of “Jamahiriya,” or “state of the masses,” as outlined in his *Green Book*¹⁵⁸. This system rejected traditional representative democracy and instead claimed to empower the people through “people’s congresses” and “revolutionary committees.” In practice, however, these institutions were tightly controlled and dissent

¹⁵⁸ Gaddafi, Muammar. *The Green Book*. Tripoli: World Center for the Study and Research of the Green Book, 1975

was met with severe repression. Political parties were banned, independent media did not exist and Gaddafi's regime routinely imprisoned, tortured and executed opponents¹⁵⁹.

Libya's internal governance also suffered from severe centralization and clientelism. While the country possessed vast oil wealth, this wealth was not equitably distributed. Gaddafi maintained power through a combination of patronage networks, military loyalty and tribal manipulation. His rule exacerbated tribal divisions, rewarding certain tribes, particularly those from his native Sirte region, while marginalizing others, creating long-term tensions that would later fuel the uprising¹⁶⁰. The Libyan state lacked strong institutions independent from Gaddafi, which left the country institutionally fragile and heavily reliant on his personal authority.

Despite authoritarian control, Libya was not immune to external influences and growing popular discontent. By the late 2000s, Libyan population faced rising unemployment, particularly among the youth, along with inflation and a housing crisis. The lack of civil liberties, rampant corruption and the regime's failure to address basic socio-economic demands eroded the legitimacy Gaddafi once claimed. Moreover, international developments also shaped Libya's trajectory. The Arab Spring, which began in Tunisia in late 2010 and quickly spread to Egypt, provided both inspiration and a precedent for popular uprisings against entrenched authoritarian regimes¹⁶¹.

While Libya had previously been a pariah state, especially following the 1988 Lockerbie bombing and its subsequent sanctions, Gaddafi had made notable efforts to normalize relations with the West in the early 2000s. He accepted responsibility for past acts of terrorism, dismantled Libya's weapons of mass destruction programs and sought rapprochement with Western powers, particularly Italy, the UK and the United States¹⁶². These efforts led to Libya being re-integrated into the international community, receiving foreign investments and experiencing renewed diplomatic relations. This normalization

¹⁵⁹ Vandewalle, Dirk. *A History of Modern Libya*. Cambridge University Press, 2012, pp. 110–112

¹⁶⁰ Pack, Jason. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*. Palgrave Macmillan, 2013, p. 25

¹⁶¹ Lynch, Marc. "The Arab Uprising: The Unfinished Revolutions of the New Middle East." PublicAffairs, 2012

¹⁶² Joffé, George. "Libya and the West: From Confrontation to Cooperation." *International Affairs*, vol. 80, no. 3, 2004, pp. 377–398

process gave Gaddafi some legitimacy abroad, despite the continued absence of democratic reforms at home.

Yet, this re-integration also meant that Libya became more visible to the international community, including human rights organizations and Western governments. Reports of repression, arbitrary detention and torture never ceased. Organizations such as Human Rights Watch and Amnesty International continued to document widespread human rights abuses in the years preceding 2011, including the notorious Abu Salim prison massacre in 1996, where over 1,000 prisoners were killed in a single day¹⁶³. These violations, however, were often downplayed by Western governments during periods of economic and security cooperation.

It is within this socio-political backdrop that the February 2011 protests in Libya must be situated. Initially inspired by regional movements demanding reform and democratization, protests in cities such as Benghazi rapidly escalated into a full-scale uprising, fueled by years of resentment and state repression.

Although the escalation of violence and the government's response would later form the basis for invoking R2P, its clear roots of the crisis were embedded in decades of political repression, economic mismanagement and social fragmentation. Crucially, understanding these structural and historical factors helps differentiate between the pretext for intervention and the deeper context in which the Libyan crisis unfolded. It also lays the groundwork for assessing whether the international response in 2011, under R2P, was indeed proportional to the situation on the ground, or whether it was shaped, at least in part, by ulterior geopolitical motives.

3.1.2. The February Uprising, Gaddafi's Response and Calls for International Action

The February 2011 uprising in Libya marked a critical turning point in the country's history, culminating in international intervention under the Responsibility to Protect framework.

¹⁶³ Amnesty International. "Libya: The Forgotten Victims of Abu Salim Prison." 2010

The uprising began on 15 February 2011 in Benghazi, instigated by the arrest of human rights lawyer Fathi Terbil, who had represented families of victims of the 1996 Abu Salim prison massacre. Protests quickly broke out, fueled by fury over repression, corruption, unemployment and the lack of political freedoms. The influence of the Arab Spring was undeniable: demonstrators in Libya, as in Tunisia and Egypt, called for democratic reforms and an end of the autocratic rule. What initially resembled peaceful demonstrations soon escalated into armed clashes as government forces cracked down violently, and opposition groups, some of whom were defecting members of the armed forces, responded in the same way¹⁶⁴.

Gaddafi's response was both rhetorical and military. In his infamous speech on 22 February 2011, he included threats of mass extermination and vowed to cleanse Libya "house by house," referring to protesters as "rats" and calling on loyalists to defend the nation at any cost¹⁶⁵. This language, coupled with the deployment of snipers, heavy weaponry and air strikes against civilians, was interpreted by many as a signal of imminent mass atrocity. The regime's use of force in urban centers like Misrata and Zawiya, along with reports of indiscriminate shelling, reinforced the perception that a humanitarian catastrophe was unfolding¹⁶⁶.

The rapid recognition of the National Transitional Council (NTC) as the legitimate representative of the Libyan people by several Western and Arab states further accelerated the collapse of the Gaddafi regime's legitimacy. Within days, the opposition had gained control of significant portions of eastern Libya, including Benghazi, effectively dividing the country. The international community's growing support for the rebels, both diplomatically and materially, also influenced the trajectory of the conflict. France was among the first to recognize the NTC, followed by the United Kingdom and the United States, signaling a clear alignment with the anti-Gaddafi forces¹⁶⁷.

As the conflict in Libya intensified during February and March 2011, a growing number of international voices began to call for decisive action to protect civilians from Gaddafi's

¹⁶⁴ Vandewalle, Dirk. *A History of Modern Libya*, Cambridge University Press, 2012, pp. 130–132

¹⁶⁵ BBC News. "Gaddafi Vows to Crush Protesters." February 22, 2011

¹⁶⁶ Human Rights Watch. "Libya: Government Attacks Intensify." February 2011

¹⁶⁷ Bellamy, Alex J., *Responsibility to Protect*, Polity Press, 2009, p. 192

violent repression. Early appeals for international action came from within Libya itself, the NTC lobbied international actors to recognize its authority and support military intervention to halt what it portrayed as an imminent massacre in Benghazi, Gaddafi's next military target. These appeals were soon echoed by regional actors such as the Gulf Cooperation Council (GCC) and the League of Arab States. On 12 March 2011, the Arab League took the unprecedented step of formally requesting the United Nations to impose a no-fly zone over Libya to protect civilians¹⁶⁸. This regional endorsement significantly bolstered the credibility of subsequent action, allowing Western powers to frame intervention not as Western imperialism but as a response to an Arab consensus.

The framing of the crisis was critical. Western political leaders emphasized the imperative to prevent a massacre, repeatedly invoking the episodes of Rwanda and Srebrenica to justify rapid action. The French President Nicolas Sarkozy and British Prime Minister David Cameron pushed particularly for immediate military engagement and recognition of the NTC. France became the first country to officially recognize the Council on 10 March 2011, a move that prefigured its leading role in the eventual NATO operation¹⁶⁹. Meanwhile, in the United States, President Obama adopted a more cautious tone initially, but ultimately backed intervention after receiving Arab League support and facing pressure from both domestic and international circles¹⁷⁰.

3.2. The International Community's Response

3.2.1. UNSC Resolution 1970 and 1973

The international community's formal response to the Libyan crisis crystallized through the adoption of two pivotal United Nations Security Council resolutions: 1970 and 1973. These resolutions marked a turning point in international intervention practices and

¹⁶⁸ League of Arab States. "Statement on Libya," March 12, 2011

¹⁶⁹ Reuters. "France Recognizes Libyan Opposition Council." March 10, 2011

¹⁷⁰ Lynch, Marc. *The Arab Uprising: The Unfinished Revolutions of the New Middle East*, PublicAffairs, 2012, p. 102

represented the first time the Responsibility to Protect was explicitly invoked to authorize coercive measures, including the use of force, against a functioning state.

UNSC Resolution 1970, unanimously adopted on 26 February 2011, responded to early reports of mass violence by the Gaddafi regime. The resolution condemned the use of military force against peaceful protesters and called for an immediate end to violence. It imposed a comprehensive arms embargo, a travel ban and an asset freeze targeting Gaddafi and his close associates, while referring the situation to the International Criminal Court for investigation, a move that underscored the gravity of the alleged crimes and set an important legal precedent¹⁷¹. The referral to the ICC marked the first time such a mechanism was invoked unanimously by the Security Council in the absence of consent from the concerned state¹⁷².

While Resolution 1970 signaled a strong diplomatic condemnation and an effort to deter further violence through non-military means, the Libyan regime was not dissuaded. As the conflict escalated, the international community shifted its stance from sanctioning repression to contemplating direct military intervention. This evolution culminated in Resolution 1973, adopted less than a month later on 17 March 2011, which authorized the use of “all necessary measures” to protect civilians under threat of attack, effectively legalizing military action¹⁷³.

Resolution 1973 was passed with ten votes in favor and five abstentions (Russia, China, Germany, India and Brazil). Notably, the abstentions came from states skeptical of military intervention or concerned about setting a precedent for humanitarian use of force without adequate checks. Russia and China, in particular, expressed concern about regime change under the pretext of civilian protection¹⁷⁴. Nevertheless, the fact that neither vetoed the resolution, opting instead to abstain, was interpreted by many as a cautious endorsement or at least a strategic decision to avoid diplomatic isolation. The absence of

¹⁷¹ United Nations Security Council. “Resolution 1970,” S/RES/1970 (2011), February 26, 2011

¹⁷² Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*. Polity Press, 2009, p. 194

¹⁷³ United Nations Security Council. “Resolution 1973,” S/RES/1973 (2011), March 17, 2011

¹⁷⁴ Thakur, Ramesh. *The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect*. Cambridge University Press, 2006, p. 207

a veto was critical: without it, the resolution provided legal cover for NATO to intervene under Chapter VII of the UN Charter.

What stands out about Resolution 1973 is the large scope of its language. While the resolution was framed in humanitarian terms, its interpretation and implementation went far beyond civilian protection. By authorizing “all necessary measures,” the Council granted intervening powers a significant degree of interpretive freedom. The only explicit constraint was the prohibition of “a foreign occupation force of any form on any part of Libyan territory”¹⁷⁵. Its vagueness left space for military operations and opened the door to actions that would soon go far beyond the protection of civilians. Within days of its adoption, NATO initiated an air campaign that systematically targeted Libyan military infrastructure, command centers and eventually the convoys of Gaddafi himself. While the Arab League had supported a no-fly zone, it expressed concern just days after the intervention began, as the scope of the NATO bombing campaign grew far beyond initial expectations¹⁷⁶. This disconnection between regional support and Western execution raises questions about the degree to which intervention remained grounded in its original humanitarian intent.

The speed of these international responses, especially compared to other humanitarian crises, raises legitimate questions about selectivity and proportionality. The R2P doctrine, intended to be a last resort after peaceful means had been exhausted, was invoked at a pace that surprised even seasoned observers. The Libyan case thus becomes a pivotal example for this thesis’s inquiry: while there was indeed a risk of severe repression, the framing and rapid escalation of the intervention suggest that strategic interests, such as securing influence in North Africa, maintaining credibility after the Arab Spring, and accessing Libyan energy markets, may have played a more significant role than acknowledged in the public discourse¹⁷⁷.

The transformation of the mission from civilian protection to regime change raised immediate concerns among scholars and political observers. Although the resolution was

¹⁷⁵ S/RES/1973 (2011), paragraph 4

¹⁷⁶ BBC News. “Arab League Criticizes Libya Air Strikes.” March 20, 2011

¹⁷⁷ Joffé, George. “Libya: After the Fall.” *The Journal of North African Studies*, vol. 18, no. 4, 2013, pp. 622–624

legally justified through R2P principles, its implementation stretched the mandate's humanitarian intent. The protection of civilians soon merged with overt support for the rebel forces, including intelligence-sharing, aerial strikes in support of their advances and logistical coordination: all actions that contributed to the collapse of the Libyan regime¹⁷⁸. This shift highlights the discrepancy between the narrow legal authorization and the broader strategic goals pursued on the ground.

Moreover, the rapid progression from Resolution 1970 to 1973, in a period of less than three weeks, raises questions about whether all non-military avenues were adequately explored. Critics such as Aidan Heir and Gareth Evans argue that diplomacy, sanctions, safe corridors for civilians and mediation efforts were prematurely abandoned in favor of an armed solution¹⁷⁹. The African Union's mediation plan, for example, which proposed a ceasefire and a roadmap for political transition, received scarce support from Western powers and was effectively sidelined¹⁸⁰. This marginalization of non-Western diplomatic efforts suggests that the primary concern may not have been humanitarian protection per se, but rather geopolitical positioning and the opportunity to realign the region in the wake of the Arab Spring and highlights the asymmetry of influence in the international system, where global decision-making remains heavily concentrated among Western states with military and economic dominance¹⁸¹.

Ultimately, Resolutions 1970 and 1973 set a precedent in international law by operationalizing R2P through the UNSC. However, their content, timing and aftermath show how humanitarian language can be employed to authorize interventions that serve multiple, sometimes conflicting, agendas. The Libyan case illustrates how the formal mechanisms of international law can be used both to uphold norms and to legitimize actions that reflect the interests of the most influential actors in the global system.

¹⁷⁸ Hehir, Aidan. "The Responsibility to Protect in Libya: Between Opportunistic Humanitarianism and Value-Free Realpolitik." *Journal of Intervention and Statebuilding*, 6(1), 2012

¹⁷⁹ Kuperman, Alan J. "False Pretense for War in Libya?" *Boston Globe*, April 14, 2011

¹⁸⁰ African Union Peace and Security Council. "Communiqué on the Situation in Libya." March 2011

¹⁸¹ ¹⁸¹ Hehir, Aidan. "The Responsibility to Protect in Libya: Between Opportunistic Humanitarianism and Value-Free Realpolitik." *Journal of Intervention and Statebuilding*, vol. 6, no. 1, 2012

3.2.2. NATO's Role and the Shift from Protection to Regime Change

The implementation phase of the intervention in Libya marked a pivotal transformation in the application of the Responsibility to Protect. While United Nations Security Council Resolution 1973 explicitly authorized “all necessary measures” to protect civilians, the actions undertaken by NATO quickly evolved beyond this narrow mandate.

NATO's military operation began on 19 March 2011 under the codename Operation Unified Protector. Initially, enforcement was limited to establishing a no-fly zone and conducting airstrikes to neutralize Libyan air defenses, in line with Resolution 1973's primary objective of preventing attacks on civilians. Within days, however, the scope of NATO's involvement expanded considerably. Target lists included not only airfields and anti-aircraft installations, but also command-and-control nodes, logistical hubs and eventually armed convoys associated with regime forces, even when far removed from immediate threats to civilian populations¹⁸².

As the campaign went on, NATO forces assumed a more visible role in shaping the outcome of the conflict. The alliance's support for the National Transitional Council, resembled a coordinated effort to ensure the military success of the opposition. The emphasis shifted from civilian protection to the systematic dismantling of the regime's military infrastructure, undermining claims that the intervention was strictly humanitarian.

This shift did not go unnoticed. By mid-April 2011, political figures and analysts began raising concerns about mission creep. Especially the African Union criticized the sidelining of its ceasefire proposals, which called for negotiations without preconditions. These proposals were rejected by the NTC and received little traction among NATO states, which insisted that any transition must begin with Gaddafi's departure from power¹⁸³. The rejection of a negotiated settlement, before serious diplomatic alternatives had been exhausted, suggests a clear preference for military victory over political compromise.

¹⁸² NATO. “Operation Unified Protector Final Mission Stats,” November 2, 2011

¹⁸³ African Union Peace and Security Council. “Press Statement on Libya,” April 2011

Furthermore, statements by NATO and Western leaders increasingly framed the conflict in terms of regime legitimacy rather than civilian protection. US President Barack Obama, UK Prime Minister David Cameron and French President Nicolas Sarkozy published a joint article in April 2011 asserting that Libya's future "cannot include Gaddafi," thus publicly committing to regime change as an implicit policy goal¹⁸⁴. This rhetorical shift blurred the line between humanitarian intervention and strategic interference, casting doubt on the credibility of R2P as a neutral doctrine.

The most controversial moment in this operational evolution occurred in October 2011, when NATO-supported rebel forces captured and summarily executed Muammar Gaddafi near his hometown of Sirte. NATO airpower had bombed Gaddafi's fleeing convoy minutes before his capture, effectively sealing his fate¹⁸⁵. While NATO denied direct involvement in the killing, its role in facilitating to bring down the regime left little doubt about the political intent behind the military campaign. The death of Gaddafi was celebrated by many Western leaders, yet it left a power hole that plunged Libya into years of instability, civil war and the proliferation of armed militias¹⁸⁶.

The transition from civilian protection to active regime dismantling constitutes one of the most striking aspects of the Libyan intervention. The political consensus among NATO members was that Gaddafi's removal was essential to achieving lasting peace, a belief that shaped the alliance's interpretation of its responsibilities on the ground¹⁸⁷. While NATO officially maintained that its mandate was limited to protecting civilians, its operational behavior suggested otherwise. Airstrikes were often carried out in areas where civilians were not immediately at risk and the scale of intervention far exceeded what was necessary to prevent mass atrocities. Moreover, the lack of a post-conflict stabilization

¹⁸⁴ Obama, Barack, David Cameron, and Nicolas Sarkozy. "Libya's Pathway to Peace." *The New York Times*, April 14, 2011

¹⁸⁵ BBC News. "Muammar Gaddafi Killed as Sirte Falls." October 20, 2011

¹⁸⁶ Pack, Jason. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*. Palgrave Macmillan, 2013, pp. 153–160

¹⁸⁷ Hehir, Aidan. "Libya and the Responsibility to Protect: A Cautionary Tale." *Global Society*, vol. 27, no. 1, 2013

plan revealed that humanitarian concerns had been subordinated to short-term political outcomes¹⁸⁸.

In retrospect, the Libyan intervention exposed significant vulnerabilities in the R2P regime. While it demonstrated that the international community could respond swiftly to threats of mass atrocities, it also highlighted the risk that humanitarian justifications can be used to cloak geopolitical agendas. The selective use of force, the abandonment of diplomatic avenues, and the absence of a post-conflict reconstruction strategy all point to a pattern of behavior that aligns poorly with R2P's original intent. Rather than serving as a principled humanitarian doctrine, R2P in Libya became a vehicle for strategic realignment, a finding that lends critical support to the central argument of this thesis.

3.2.3. Arab League and African Union Positions

The positions adopted by the Arab League and the African Union during the 2011 Libyan crisis played a crucial role in legitimizing or contesting international action under the Responsibility to Protect. While the Arab League's endorsement of a no-fly zone was instrumental in building the legal and political momentum behind United Nations Security Council (Resolution 1973), the African Union consistently opposed foreign military intervention, advocating instead for a political settlement.

The Arab League, an organization traditionally characterized by internal divisions and policy paralysis, surprised many by calling on the United Nations to enforce a no-fly zone over Libya on 12 March 2011. In its official communiqué, the League justified the request by citing the regime's "grave violations of human rights" and its use of military force against civilians¹⁸⁹. The move, led primarily by Qatar and backed by countries such as Saudi Arabia and the United Arab Emirates, provided Western powers with regional political cover for military action. It also served as a rhetorical device in the UNSC debate,

¹⁸⁸ Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*. Polity Press, 2009, p. 202

¹⁸⁹ League of Arab States, "Statement on Libya," Cairo, March 12, 2011

as Western diplomats repeatedly cited the Arab League's position to argue that the proposed intervention enjoyed regional legitimacy¹⁹⁰.

However, the motivations behind the Arab League's support for the no-fly zone were not purely humanitarian. As scholars have noted, Qatar and other Gulf states viewed Gaddafi's fall as an opportunity to extend their influence over a key North African state while also aligning themselves with the wave of popular uprisings that were reshaping the Arab world¹⁹¹. Moreover, Gaddafi's history of confrontational behavior toward Arab monarchies, combined with his irregular regional diplomacy, had alienated many Arab leaders, who saw in the uprising a chance to remove a serious rival¹⁹². These underlying strategic interests complicate any narrative that presents the Arab League's endorsement as a straightforward expression of humanitarian solidarity.

The African Union, by contrast, adopted a markedly different position. From the early stages of the conflict, the AU rejected foreign military intervention and consistently advocated for a mediated political solution. On 10 March 2011, only two days before the Arab League's endorsement of the no-fly zone, the AU Peace and Security Council announced the establishment of an ad hoc High-Level Committee on Libya, composed of the heads of state of Mauritania, Mali, South Africa, Uganda and Democratic Republic of the Congo¹⁹³. The committee was tasked with negotiating a ceasefire, facilitating dialogue between the parties and promoting democratic reforms.

The AU's strategy, however, was effectively sidelined by the rapid adoption of Resolution 1973 and the commencement of NATO operations. Despite multiple diplomatic missions, including attempts to meet with both the Gaddafi regime and the National Transitional Council, the AU was unable to impose itself as a credible mediator. This marginalization was exacerbated by the perception among Western powers that the

¹⁹⁰ United Nations Security Council, "Security Council Debate on Resolution 1973," S/PV.6498, March 17, 2011

¹⁹¹ Barakat, Sultan. "Qatar and the Arab Spring: Policy Drivers and Regional Implications." *Brookings Doha Center*, 2012

¹⁹² Vandewalle, Dirk. *A History of Modern Libya*, Cambridge University Press, 2012, p. 142

¹⁹³ African Union Peace and Security Council, "Communiqué on the Situation in Libya," PSC/PR/COMM(CCLXI), March 10, 2011

AU lacked the political cohesion, military capacity and urgency needed to stop the violence¹⁹⁴.

Yet, dismissing the AU's efforts raises fundamental questions about the selectivity of international engagement. Unlike the Arab League, the AU was directly invested in Libya's future not only geopolitically but also normatively, having developed its own doctrine of "non-indifference" which, at least rhetorically, aligned with the core principles of R2P¹⁹⁵. However, its preference for dialogue and peaceful resolution conflicted with the Western inclination toward rapid coercive action. As such, the international community effectively ignored the AU's proposals, undermining the inclusive and multilateral spirit that R2P was designed to promote.

The contrasting responses of the Arab League and the AU illuminate the geopolitical calculations embedded within the discourse of R2P. The Western coalition chose to amplify the Arab League's call for intervention while disregarding the AU's insistence on political dialogue. This asymmetry illustrates how regional voices are not engaged with equally, but rather selectively, depending on how closely their preferences align with the strategic interests of powerful international actors¹⁹⁶. Such selectivity not only undermines the normative legitimacy of R2P but also weakens regional ownership of peace and security efforts. It is precisely in these inconsistencies that the selective and interest-driven nature of R2P becomes most visible.

3.3. Discourse and Justifications for the Intervention

3.3.1. Humanitarian Rhetoric and the "Benghazi Massacre"

One of the main factors for legitimizing the 2011 intervention in Libya was the invocation of a potential humanitarian catastrophe in the city of Benghazi. Western leaders, media and international institutions consistently presented the threat of a "massacre" in

¹⁹⁴ Williams, Paul D. "The African Union's Conflict Management Capabilities." *Council on Foreign Relations*, 2011

¹⁹⁵ Murithi, Tim. "The African Union's Transition from Non-Intervention to Non-Indifference: An Ad Hoc Approach to the Responsibility to Protect?" *Internationale Politik und Gesellschaft*, 2009

¹⁹⁶ Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*, Polity Press, 2009, p. 213

Benghazi as imminent, evoking past failures to prevent mass atrocities, such as those in Rwanda and Srebrenica, as moral justification for immediate military action.

The core of the humanitarian argument rested on the claim that Muammar Gaddafi was preparing to launch an indiscriminate assault on Benghazi, the main base of opposition forces and home to approximately 700,000 civilians. In a widely circulated speech on 22 March 2011, Gaddafi vowed to show “no mercy” to “traitors” and to cleanse the country “house by house”¹⁹⁷. This rhetoric was seized upon by the international media and political leaders alike, who interpreted it as a genocidal threat. US President Barack Obama, in justifying the intervention, declared that “left unchecked, we have every reason to believe that Gaddafi would commit atrocities against his people”¹⁹⁸. Similarly, UK Prime Minister David Cameron and French President Nicolas Sarkozy framed the potential fall of Benghazi as a humanitarian catastrophe in waiting, one that could not be ignored by a morally responsible international community¹⁹⁹.

However, scholars and human rights observers have since challenged the factual basis of these claims. Alan Kuperman argues that while Gaddafi’s rhetoric was undoubtedly violent and authoritarian, there was little concrete evidence to suggest that a massacre in Benghazi on the scale of Rwanda or Srebrenica was imminent²⁰⁰. Prior to the NATO intervention, Gaddafi’s forces had retaken several towns from rebel control, like Ajdabiya and Zawiya, without committing mass atrocities against civilians. While violations occurred, they did not demonstrate a systematic policy of extermination. Moreover, Gaddafi publicly promised amnesty to those who laid down arms and asserted that his fight was against armed insurgents, not civilians²⁰¹.

The discrepancy between threat perception and available evidence is central to the analysis of R2P’s application in this case. While the protection of civilians is the cornerstone of the doctrine, the threshold for invoking it must be grounded in a credible and evidence-based assessment of imminent mass atrocity crimes. In Libya, that threshold

¹⁹⁷ BBC News. “Libya Unrest: Gaddafi Speech in Full.” 22 February 2011

¹⁹⁸ Obama, Barack. “Remarks by the President in Address to the Nation on Libya.” March 28, 2011

¹⁹⁹ Sarkozy, Nicolas, David Cameron. “Joint Statement on Libya.” Elysée Palace, March 2011

²⁰⁰ Kuperman, Alan J. “False Pretense for War in Libya?” *Boston Globe*, April 14, 2011

²⁰¹ Chivvis, Christopher. *Toppling Qaddafi: Libya and the Limits of Liberal Intervention*. Cambridge University Press, 2014, pp. 67–70

was arguably lowered to accommodate political interests. The humanitarian narrative was not only persuasive but emotively powerful: invoking the horrors of past international failures served as a compelling moral imperative, even when the parallels may not have been substantiated²⁰².

This rhetorical strategy was further reinforced by selective media coverage and strategic messaging by key actors. Al Jazeera, for instance, played a critical role in broadcasting the rebellion and the regime's violent responses, often relying on opposition sources whose claims were difficult to independently verify in real time²⁰³. At the same time, Western governments relied on intelligence assessments that were not made public or subjected to independent scrutiny. The result was a narrative environment in which the worst scenario was presented as a near certainty and immediate military action was portrayed as the only viable ethical response²⁰⁴.

The urgency with which the Benghazi massacre narrative was deployed also prevented the exploration of alternative solutions. Proposals for negotiated settlements or ceasefires, were dismissed as insufficient or untrustworthy, despite the fact that the alleged massacre had not yet occurred²⁰⁵. The speed of the intervention reflected a sense of urgency that, while perhaps sincere, was not accompanied by a proportional investigation into peaceful alternatives.

The instrumentalization of the Benghazi massacre narrative reveals how humanitarian discourse can be manipulated to justify actions that serve broader strategic aims. In this case, regime change was not part of the UN mandate, but it became an effective outcome of the intervention. By presenting a simplistic division between action and genocide, intervening powers positioned themselves as the moral actors of last resort, while effectively bypassing more complex assessments of the conflict's dynamics. This simplification of the narrative not only undermined the potential for mediation but also

²⁰² Hehir, Aidan. "The Responsibility to Protect in Libya: Between Opportunism and Ethics." *Journal of Human Rights*, 2013

²⁰³ El-Nawawy, Mohammed, and Adel Iskandar. *Al-Jazeera: The Story of the Network That Is Rattling Governments and Redefining Modern Journalism*. Basic Books, 2003

²⁰⁴ Bellamy, Alex J. *Responsibility to Protect: The Global Effort to End Mass Atrocities*. Polity Press, 2009, p. 216

²⁰⁵ African Union Peace and Security Council. "Communiqué on Libya." March 2011

set a precedent for how R2P might be invoked in future crises: not as a measured doctrine, but as a reactive instrument shaped by prevailing political will.

3.3.2. Western Strategic Interests (France, UK, US)

As the 2011 NATO intervention in Libya unfolded, it became increasingly evident that the actions of key Western states, namely France, the United Kingdom and the United States, were not solely dictated by humanitarian imperatives. Rather, their conduct suggests that strategic interests significantly influenced their interpretation and implementation of the Responsibility to Protect.

France was arguably the most assertive advocate for military intervention in Libya. President Nicolas Sarkozy's administration led the early charge for recognizing the National Transitional Council and pushing for UNSC Resolution 1973. France was the first country to officially recognize the NTC on 10 March 2011, even before the UN endorsed military action²⁰⁶. While framed publicly as a moral stance against repression, France's motives were deeply entangled with both domestic and international strategic objectives. Domestically, Sarkozy was facing declining support and sought a foreign policy success to bolster his image as a decisive global leader²⁰⁷. Internationally, Libya offered France a unique opportunity to reassert its leadership within NATO, particularly after its controversial refusal to join the Iraq War in 2003. Moreover, economic incentives played a crucial role. French oil main company Total had considerable interests in Libyan oil production, and internal communications leaked after the intervention revealed that the NTC had promised France preferential access to Libya's oil reserves in exchange for its early support²⁰⁸. These revelations challenge the supposed altruism of France's humanitarian motivations and suggest that regime change was not simply a product of military action, but an implicit objective intertwined with national economic gains.

The United Kingdom, under Prime Minister David Cameron, quickly aligned with France's position, co-authoring key diplomatic initiatives and actively participating in the

²⁰⁶ Reuters. "France Recognizes Libyan Opposition Council." March 10, 2011

²⁰⁷ Charbonneau, Bruno. "France's Intervention in Libya: A Pragmatic and Strategic Shift." *Journal of Contemporary European Studies*, vol. 20, no. 3, 2012

²⁰⁸ The Telegraph. "Libya: France Offers Rebels 35% of Oil in Exchange for Support." September 1, 2011

air campaign. As with France, the UK framed its involvement in humanitarian terms, emphasizing the need to prevent a massacre in Benghazi. Yet, behind this rhetorical front, Britain was also pursuing strategic imperatives. Libya had long been considered an important player in the Mediterranean security environment and London viewed Gaddafi's potential fall as a chance to shape a new and Western-aligned political order in North Africa²⁰⁹. Additionally, there was a reputational dimension: British leaders saw Libya as an opportunity to rehabilitate the UK's interventionist credentials following the damaging legacy of Iraq, this time under a more multilateral and legally sanctioned mandate²¹⁰. Beyond this, economic interests were again present. British energy firm BP had signed major exploration and production agreements with Libya in the years preceding the uprising. Although these contracts were secured under Gaddafi, the UK government recognized that supporting the opposition could ensure continued access to oil markets under a post-Gaddafi regime more dependent on Western political backing²¹¹. Strategic access to Mediterranean trade routes and counterterrorism cooperation were also long-term considerations that made Libya a significant partner for British foreign policy planners.

The United States, although initially more cautious, ultimately played a decisive role in the military operation. President Barack Obama framed the intervention as a "limited, proportional, and multilateral" engagement to prevent atrocities²¹². Nevertheless, US involvement was not merely reactive to humanitarian need. The Obama administration saw Libya as an opportunity to reaffirm American leadership in multilateral conflict resolution, what Secretary of State Hillary Clinton termed "smart power." Crucially, Libya allowed the US to demonstrate that it could avoid the mistakes of unilateralism seen in Iraq, instead leading "from behind" by enabling European allies while providing indispensable military support such as precision strikes, intelligence, and aerial refueling²¹³. Strategically, Washington was also concerned with regional instability following the Arab Spring. The fall of autocratic regimes in Tunisia and Egypt had

²⁰⁹ House of Commons Foreign Affairs Committee. "Libya: Examination of Intervention and Collapse." 2016

²¹⁰ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

²¹¹ Financial Times. "BP's Libya Oil Interests Remain in Play." March 22, 2011

²¹² Obama, Barack. "Remarks by the President in Address to the Nation on Libya." March 28, 2011

²¹³ Clinton, Hillary. *Hard Choices*. Simon & Schuster, 2014

already reshaped the regional landscape and the White House was wary of appearing indifferent to the democratic aspirations sweeping the region. A successful intervention in Libya was expected to reinforce US credibility and moral leadership during this period of transformation²¹⁴. Moreover, by supporting the rebels and facilitating Gaddafi's removal, the US aimed to secure influence in a post-revolutionary Libya that could serve as a counterweight to competing powers, including China and Russia, both of which had growing economic stakes in North Africa.

Taken together, the actions of France, the UK and the US illustrate how humanitarian discourse and strategic interest can converge under the banner of R2P. While these powers publicly claimed to act on behalf of universal principles and to prevent mass atrocities, their conduct reveals a pragmatic alignment of normative language with realpolitik objectives. Their selective engagement, prioritizing Libya while ignoring or minimizing equally dire humanitarian crises elsewhere, further confirms the inconsistent application of R2P, shaped less by need and more by strategic viability and interest alignment.

3.3.3. Media Narratives and the Legitimization of Action

In the context of the 2011 Libyan intervention, international media played a pivotal role not only in shaping public opinion but also in legitimizing the use of military force under the Responsibility to Protect framework. While states and multilateral organizations formally drive international action, the discursive environment created by global media significantly influences how crises are framed, interpreted and responded to.

The dominant media narrative reduced the Libyan uprising as a binary struggle between a dictator and a pro-democracy movement wanting freedom. Outlets such as CNN, BBC, Al Jazeera and France 24 offered extensive coverage of the protests and subsequent crackdown, frequently broadcasting graphic images of state violence and civilian suffering. These reports emphasized the immediacy of the humanitarian threat, especially in Benghazi and provided a powerful emotional push for action. In particular, Al Jazeera's

²¹⁴ Lynch, Marc. *The Arab Uprising: The Unfinished Revolutions of the New Middle East*. PublicAffairs, 2012

Arabic service played a central role in shaping Arab public perception, framing the uprising as part of the Arab Spring and portraying the National Transitional Council as a legitimate and democratic alternative to Gaddafi's regime²¹⁵.

However, much of the information reported in the early weeks of the conflict came from opposition sources or unverifiable claims circulated via social media. This reliance on uncorroborated testimonies contributed to an information environment in which the narrative of imminent mass atrocity was amplified without sufficient critical scrutiny. Reports of mass rapes allegedly ordered by Gaddafi, of the use of mercenaries and of plans to "slaughter" the population of Benghazi gained widespread traction, despite later investigations by organizations such as Amnesty International and Human Rights Watch revealing little or no evidence to support these allegations²¹⁶. Yet by the time doubts emerged, public and diplomatic support for intervention had already solidified.

Media framing played a crucial legitimizing function by strategically aligning the Libyan crisis with prior humanitarian failures. Frequent references to Rwanda and Srebrenica served as implicit moral triggers. Political leaders echoed this framing in their rhetoric, as did journalists who invoked these historical traumas to argue for a "never again" approach²¹⁷. The public narrative thus bypassed nuanced analysis of the Libyan context, instead relying on moral dichotomies and the imperative of urgent action. In this environment, military intervention became not only justifiable but morally obligatory.

Furthermore, the media largely failed to evaluate the positions of regional and international actors, particularly those calling for restraint or political solutions. The African Union's peace plan, for instance, was almost entirely absent from mainstream Western media coverage during March and April 2011²¹⁸. Meanwhile, the Arab League's endorsement of a no-fly zone was widely reported and celebrated. The selective

²¹⁵ El-Nawawy, Mohammed, and Adel Iskandar. *Al-Jazeera: The Story of the Network That Is Rattling Governments and Redefining Modern Journalism*. Basic Books, 2003

²¹⁶ Amnesty International. "Libya: Assessment of Alleged War Crimes." 2011; Human Rights Watch. "Libya: Unverified Atrocity Claims." 2012

²¹⁷ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

²¹⁸ African Union Peace and Security Council. "Communiqué on the Situation in Libya." March 2011

amplification of certain voices over others contributed to a simplified international discourse that excluded non-coercive alternatives.

Equally notable was the media's minimal attention to the geopolitical implications of the intervention. Little coverage was given to France's and Britain's energy interests, the economic and strategic stakes of the conflict or the longer-term risks of state collapse. Instead, the dominant message emphasized short-term humanitarian imperatives, obscuring the possibility that the intervention might produce long-term instability. Only after the fall of Gaddafi and the descent into post-intervention chaos did retrospective critiques begin to surface in mainstream discourse²¹⁹.

This phenomenon aligns with what scholars such as Chouliaraki and Orgad describe as "humanitarian journalism," wherein media portrayals of suffering are detached from political complexity and instead focus on emotive urgency²²⁰. With images of victims and framing the situation through moral binaries, media narratives contributed to a political climate in which intervention was normalized and alternative responses delegitimized. In the case of Libya, this trend meant that R2P was not debated as a legal and normative framework with strict criteria and accountability mechanisms, but rather as an instinctive moral reaction to sensationalized media reports.

3.4. Consequences of the Intervention

3.4.1. Collapse of the Libyan State

The aftermath of the 2011 NATO intervention in Libya offers one of the clearest illustrations of the risks associated with the selective and interest-driven application of the Responsibility to Protect. While the intervention was launched to prevent imminent mass atrocities, its long-term effects provoked many damages, including the complete dismantling of the Libyan state, a lasting civil war, the proliferation of armed militias and regional destabilization.

²¹⁹ Pack, Jason. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*. Palgrave Macmillan, 2013, pp. 158–162

²²⁰ Chouliaraki, Lilie, and Shani Orgad. "The Mediatization of Humanitarian Crisis: Emotions, Politics, and the Media." *International Communication Gazette*, vol. 73, no. 6, 2011

By October 2011, with Gaddafi captured and killed in Sirte, the primary objective of Western powers appeared to have been achieved. However, what followed was not the emergence of a stable democracy but the rapid fragmentation of Libyan political and institutional structures. The National Transitional Council, which had served as the de facto government during the conflict, proved unprepared to govern a highly divided and militarized country. With no unified national army and no mechanisms for disarmament, the NTC struggled to assert authority over the dozens of autonomous armed groups that had formed during the revolution²²¹.

Without control over force, state of chaos took place in Libya. Cities and regions were controlled by competing militias loyal to local, tribal, ideological or regional interests. The dissolution of state institutions left an important space in power that enabled extremist groups, including Islamic State affiliates, to establish territorial control in parts of the country by 2014²²². The security situation deteriorated to such an extent that foreign embassies closed and international personnel were evacuated. The promise of humanitarian protection through R2P had, in practice, produced a failed state.

Western powers, particularly France, the United Kingdom and the United States, bore responsibility for this outcome. As critics noted, the intervention had been executed with no plan for post-conflict governance, reconstruction or reconciliation. The Libya operation thus reflected the mistakes of previous interventions, notably Iraq in 2003, where regime change was pursued without consideration for institutional rebuilding²²³. The “responsibility to rebuild,” although less developed than the other pillars of R2P, is a normative commitment embedded in the original framework. Its omission in the Libyan case underscores the instrumentalization of R2P as a means to a military end rather than as a comprehensive humanitarian obligation²²⁴.

²²¹ Pack, Jason. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future*. Palgrave Macmillan, 2013, pp. 181–186

²²² Wehrey, Frederic. *The Burning Shores: Inside the Battle for the New Libya*. Farrar, Straus and Giroux, 2018, p. 129

²²³ House of Commons Foreign Affairs Committee. “Libya: Examination of Intervention and Collapse.” 2016

²²⁴ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, pp. 234–235

This abandonment had severe human and geopolitical consequences. Libya's security gap fueled one of the worst migration crises in the Mediterranean, as thousands of refugees used Libya's poorly guarded borders and lawless coastal regions to embark on dangerous journeys to Europe. Many of these migrants were subjected to human trafficking, torture and abuse in detention camps run by militias and criminal networks²²⁵. The collapse of the Libyan state thus had transnational repercussions, directly affecting European security and immigration politics.

In addition, the proliferation of weapons and fighters from Libya destabilized neighboring states, particularly Mali and the Sahel region. Arms stolen from Libyan arsenal found their way into the hands of insurgents and terrorist groups, triggering new conflicts and undermining fragile peace processes. The Libyan intervention, once hailed as a model for successful humanitarian intervention, came to be viewed as a cautionary tale of strategic short-termism and long-term negligence²²⁶.

The failure to anticipate or mitigate these consequences calls into question the sincerity of the intervening states' humanitarian commitment. If the primary concern had been the welfare of the Libyan people, then the post-conflict phase would have been marked by coordinated support for institution-building, economic recovery and reconciliation. Instead, Libya was effectively left to its fate, reinforcing the perception that regime change, not protection, was the real objective. This sequence of events supports the thesis's argument that R2P was selectively invoked to serve geopolitical aims and subsequently discarded once those aims were met.

In conclusion, the collapse of the Libyan state following the NATO intervention reveals the structural deficiencies of R2P when implemented without a long-term vision. The absence of post-intervention engagement turned what was initially framed as a humanitarian mission into a case of unintended, or perhaps ignored, consequences. The Libyan case exemplifies how the use of R2P, when driven by strategic imperatives rather than consistent normative criteria, can produce outcomes antithetical to its foundational

²²⁵ Amnesty International. "Libya's Dark Web of Collusion: Abuses Against Europe-Bound Refugees and Migrants." 2017

²²⁶ Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

goals. It thus compels a critical reassessment of the doctrine's credibility and its future application in international politics.

3.4.2. Rise of Militias, Terrorism and Civil War

The disintegration of state authority created fertile conditions for the emergence of local militias, extremist organizations, and transnational terrorist groups. Immediately following Gaddafi's ouster, Libya found itself without a functioning central authority. The National Transitional Council, though internationally recognized, lacked the capacity to unify the country's fragmented political and military landscape. During the war, numerous armed groups had formed under the umbrella of anti-Gaddafi resistance, but many were driven by ideological motivations rather than loyalty to a national government. Once the regime fell, these militias refused to disarm and the transitional authorities were too weak or too compromised to enforce demobilization²²⁷.

This proliferation of militias rapidly turned into a struggle for territorial control and political legitimacy. Armed groups seized strategic infrastructure, such as airports, oil fields and ports, using these assets to consolidate local power and extract economic rents. Some militias aligned themselves with political factions or attempted to operate as self-proclaimed protectors of local populations, while others degenerated into criminal enterprises. The collapse of central governance transformed Libya into what analysts have described as a "militiaocracy", a state where power is exercised not through legitimate institutions, but through force and territorial control²²⁸.

Among the most dangerous consequences was the rise of jihadist groups, most notably the Islamic State (ISIS), which exploited Libya's chaos to establish a base of power. By 2015, ISIS had captured the city of Sirte, turning it into a de facto capital and recruiting both local and foreign fighters²²⁹. The group carried out mass executions, enforced brutal governance and used Libya as a base for training and launching regional attacks. The emergence of ISIS in Libya represented not only a humanitarian disaster but also a

²²⁷ Wehrey, Frederic. *The Burning Shores: Inside the Battle for the New Libya*. Farrar, Straus and Giroux, 2018, pp. 45–49

²²⁸ Pack, Jason. *Libya and the Global Enduring Disorder*. Hurst, 2021, pp. 74–77

²²⁹ Zelin, Aaron Y. "The Islamic State's Burgeoning Capital in Libya." *Washington Institute for Near East Policy*, August 2015

transnational threat, as the group's presence destabilized neighboring countries and served as a hub for trafficking weapons and fighters across borders²³⁰.

In parallel, Libya's civil conflict became increasingly internationalized. Rival factions received support from competing regional and international actors, including Turkey, Qatar, the United Arab Emirates, Egypt and Russia. The two major blocs, based in Tripoli and Tobruk, each claimed legitimacy and waged campaigns for control over the country's institutions and resources. This polarization entrenched the conflict, turning Libya into a proxy battleground and further complicating efforts to broker peace²³¹. The persistent warfare devastated civilian infrastructure, displaced hundreds of thousands of people and shattered the prospects for democratic transition.

The role of the international community after the 2011 intervention remains one of disengagement and inconsistency. Despite promises of support, NATO members largely retreated from Libya after Gaddafi's death, leaving fragile institutions to deal with the fallout of a regime collapse they had helped bring about. The UN Support Mission in Libya (UNSMIL) was unable to restore security or facilitate a sustainable political process in the absence of genuine coordination and support from powerful states²³². The result was a country in chronic instability, where violence, political fragmentation and economic collapse became features of the post-intervention reality.

The collapse into civil war not only exposed the limitations of the intervention but also challenged the legitimacy of the R2P doctrine itself. The principle, conceived to prevent mass atrocities and protect populations, appeared to have facilitated a military operation that lacked long-term vision or accountability. As the situation deteriorated, the initial narrative of humanitarian protection was replaced by one of strategic failure, and even betrayal, by the very actors who had claimed to act in defense of the Libyan people²³³. The failure to ensure security, promote reconciliation or prevent the rise of extremism

²³⁰ Council on Foreign Relations. "ISIS in Libya." 2016

²³¹ Lacher, Wolfram. *Libya's Fragmentation: Structure and Process in Violent Conflict*. I.B. Tauris, 2020, pp. 119–125

²³² United Nations Security Council. "Report of the Secretary-General on the United Nations Support Mission in Libya." S/2014/131, 2014

²³³ Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

suggests that the intervention, far from achieving R2P's goals, contributed to outcomes that directly violated them.

3.4.3. Regional Destabilization and Migration Flows

The 2011 NATO intervention in Libya did not only affect the country's internal political landscape; it also had far-reaching consequences for the broader North African and Mediterranean regions. The collapse of the Libyan state unleashed many destabilizing effects, most notably the diffusion of weapons and fighters across weak borders, the intensification of transnational criminal activity and the triggering of unprecedented migration flows toward Europe.

One of the most immediate consequences of the intervention was the uncontrolled proliferation of Libyan arms arsenal. Prior to the conflict, Gaddafi had gathered one of the largest arsenals in Africa, including light weapons, anti-aircraft missiles and explosives. Following the collapse of central authority, much of this weaponry was stolen and trafficked into neighboring countries. The Sahel region was particularly affected, as Tuareg fighters, some of whom had fought for Gaddafi, returned to Mali with arms, later contributing to the 2012 insurgency that destabilized the country and led to a French-led military intervention²³⁴. Libyan weapons also reached Boko Haram in Nigeria and other jihadist groups operating across the Sahara, exacerbating insecurity throughout the region²³⁵.

The regional spillover of the Libyan crisis reveals how the intervention inadvertently undermined fragile security architectures across Africa. Countries with weak borders and limited institutional capacity were particularly vulnerable to the transnational consequences of Libyan state collapse. This chain reaction illustrates a major flaw in the intervention: the failure to anticipate and contain externalities. The United Nations, NATO members and regional organizations lacked coordinated post-intervention mechanisms to prevent Libya's internal disorder from escalating into a broader security

²³⁴ Chivvis, Christopher S. *Toppling Qaddafi: Libya and the Limits of Liberal Intervention*. Cambridge University Press, 2014, p. 132

²³⁵ UNODC. "The Globalization of Crime: A Transnational Organized Crime Threat Assessment." United Nations Office on Drugs and Crime, 2012

threat²³⁶. The narrow interpretation of R2P as a mandate for short-term military action, without a parallel commitment to regional stabilization, thus contributed to systemic instability far beyond Libya's borders.

In addition to security concerns, Libya became a central area for irregular migration and human trafficking. Prior to the 2011 intervention, Gaddafi's regime had acted as a de facto gatekeeper for African migration into Europe. His cooperation with the EU, particularly through bilateral deals with Italy and support for joint border patrols, significantly reduced migratory pressure on European states²³⁷. With the fall of Gaddafi and the collapse of Libya's coast guard and border management institutions, human trafficking networks flourished. Armed groups, tribes and criminal organizations exploited the hole to turn Libya into a major transit zone for migrants from Sub-Saharan Africa, the Horn of Africa and even South Asia²³⁸.

The humanitarian costs of this transformation were staggering. Migrants and refugees found themselves trapped in a lawless country where they were subjected to extortion, sexual violence, forced labor and arbitrary detention. Numerous reports from international NGOs, such as Amnesty International and Médecins Sans Frontières, documented systematic abuse in informal detention centers run by militias and smugglers²³⁹. The Mediterranean route from Libya to Italy became one of the deadliest migration corridors in the world, with thousands of people dying at sea or going missing during attempted crossings²⁴⁰.

The migration crisis triggered by Libya's collapse also had significant political implications for Europe. The influx of refugees and migrants intensified anti-immigrant sentiment and contributed to the rise of far-right parties in several European countries. Governments across the EU were forced to implement increasingly restrictive migration policies, often in contradiction with international human rights standards. At the same

²³⁶ African Union Peace and Security Council. "Report on the Impact of the Libyan Crisis on the Sahel Region." October 2012

²³⁷ Paoletti, Emanuela. "The Migration of Power and North-South Inequalities: The Case of Italy and Libya." *Palgrave Macmillan*, 2011

²³⁸ Micallef, Mark. "The Human Conveyor Belt: Trends in Human Trafficking and Smuggling in Post-Revolution Libya." *Global Initiative*, 2017

²³⁹ Amnesty International. "Libya's Dark Web of Collusion." December 2017

²⁴⁰ IOM. "Missing Migrants Project." International Organization for Migration, 2018

time, efforts to externalize migration control by funding Libyan coast guard operations or partnering with local militias were heavily criticized for enabling further abuses²⁴¹. These developments underscore how the unintended consequences of the Libyan intervention resonated far beyond North Africa, reshaping European domestic politics and undermining the moral authority of liberal democracies.

The regional destabilization and migration crisis that followed the 2011 intervention further complicate the claim that the use of R2P in Libya was driven by humanitarian concern. While the initial goal may have been to prevent mass atrocities, the long-term fallout included the spread of violence, the empowerment of non-state actors and the collapse of humanitarian protections for vulnerable populations across borders. These outcomes challenge the credibility of the intervention and highlight the dangers of treating R2P as a momentary obligation rather than a sustained commitment to human security. Moreover, the selective engagement of international actors, evident in their rapid mobilization to bomb Libya and their slow or absent response to its collapse, reinforces the thesis that geopolitical calculations, not consistent humanitarian principles, shaped the application of R2P.

3.5. Reflections on R2P in the Libyan Case

3.5.1. Was R2P Misused?

The 2011 intervention in Libya is perhaps the most emblematic case in which the Responsibility to Protect doctrine was invoked in good faith but later accused of being co-opted for strategic and political ends. Initially presented as a necessary response to an imminent humanitarian crisis, the intervention rapidly shifted in purpose, execution, and outcome, calling into question whether R2P was applied faithfully or whether it was misused by powerful states under the cover of humanitarianism.

The original justification for NATO's intervention was grounded in the prevention of mass atrocities, especially in the city of Benghazi. United Nations Security Council Resolution 1973 authorized "all necessary measures" to protect civilians, explicitly

²⁴¹ Human Rights Watch. "No Escape from Hell: EU Policies Contribute to Abuse of Migrants in Libya." 2019

excluding the deployment of a foreign occupation force²⁴². However, the speed with which the operation moved from civilian protection to direct military support for the opposition, and ultimately to regime change, has led many scholars and practitioners to conclude that the doctrine was distorted in practice. As Noam Chomsky remarked at the time, “The Libyan case has demonstrated how R2P can be turned into a weapon for regime change rather than a tool for human protection”²⁴³.

Critically, the shift in the intervention’s objectives was not accompanied by a corresponding re-evaluation by the United Nations or other international bodies. The initial claim of a imminent massacre in Benghazi, while persuasive at the time, was not subjected to rigorous verification. Retrospective analyses, including those by Amnesty International and the International Crisis Group, found no concrete evidence that Gaddafi’s forces had systematically targeted civilians in recaptured towns prior to NATO’s involvement²⁴⁴. The invocation of R2P thus rested on assumptions and rhetorical urgency rather than a confirmed pattern of atrocity crimes that met the threshold of the doctrine.

Furthermore, the exclusion of regional actors who offered alternative solutions, such as the African Union’s ceasefire proposals, demonstrates the selectivity with which R2P was applied. Rather than exhausting peaceful means, NATO and its allies privileged a military solution from the outset, undermining the “responsibility to prevent” and “responsibility to rebuild” pillars that are equally essential to the integrity of R2P²⁴⁵. This partial application effectively undermined the doctrine’s comprehensiveness, turning it into a legitimizing device for intervention rather than a framework for holistic civilian protection.

In my view, this represents an evident misuse of R2P. While the intent to prevent mass atrocities may have been genuine among some actors, the operationalization of the

²⁴² United Nations Security Council. Resolution 1973 (2011), S/RES/1973, March 17, 2011

²⁴³ Chomsky, Noam. “The Skeleton in the Closet.” *The Nation*, June 2011

²⁴⁴ Amnesty International. “Libya: The Battle for Human Rights.” September 2011; International Crisis Group. “Popular Protest in North Africa and the Middle East (V): Making Sense of Libya.” Middle East/North Africa Report N°107, June 2011

²⁴⁵ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, pp. 207–212

intervention lacked proportionality, accountability, and long-term planning. Once Gaddafi fell, the intervening powers quickly disengaged, leaving Libya in institutional ruin. The collapse of state authority, the rise of militias, the emergence of terrorist safe havens, and the subsequent migration crisis were not unforeseeable consequences; they were, arguably, neglected responsibilities that should have been anticipated by any actor sincerely committed to R2P²⁴⁶.

The consequences of this misuse have been devastating not only for Libya but also for the doctrine itself. Many countries in the Global South, already wary of Western interventionism, have since become more skeptical of R2P. The case has provided concrete reasons to critics who argue that R2P is merely a tool for neo-imperialism, selectively applied in weak states while ignored in situations involving allies of powerful nations (e.g., Syria, Yemen, or Myanmar)²⁴⁷. This erosion of trust has hindered efforts to build consensus around R2P's future applicability and has made future Security Council action under the doctrine far more difficult.

Yet, it would be overly simplistic to claim that R2P is inherently flawed. The doctrine remains one of the few normative innovations in international law that centers the protection of populations as a global responsibility. The Libyan case, however, illustrates the urgent need for structural reform: clearer criteria for invocation, mechanisms for accountability, and institutional checks to prevent mandate drift. Without such safeguards, R2P will continue to be vulnerable to co-optation by powerful states and reduced to a rhetorical façade for strategic intervention.

In conclusion, the intervention in Libya demonstrates that R2P was not just imperfectly applied, it was fundamentally misused. The doctrine's principles were selectively interpreted, alternatives were dismissed, and post-conflict obligations were ignored. This not only delegitimized the Libyan operation but also cast a long shadow over R2P's credibility. If R2P is to survive as a meaningful doctrine, it must be protected from

²⁴⁶ Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

²⁴⁷ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

instrumentalization and grounded in consistent, legally and genuinely humanitarian practice.

3.5.2. R2P's legacy for Future Interventions (success, failure, or geopolitical tool)

The 2011 NATO-led intervention in Libya has become a pivotal case in the debate over the legitimacy, consistency and future viability of the Responsibility to Protect. While it was initially described as a mere application of the doctrine, the following chaos has transformed it into a cautionary story. The Libyan experience has not only shaped perceptions of R2P but has also altered the willingness of international actors to invoke it in subsequent crises.

Following the intervention, the international community failed to commit to Libya's reconstruction or political stabilization. As outlined in previous sections, the void left by Gaddafi's fall gave rise to a fractured state, militia rule, the spread of terrorism and regional destabilization. The abandonment of post-intervention responsibility has become emblematic of R2P's third pillar, the "responsibility to rebuild", being neglected altogether. This failure contributed to a broader loss of confidence in the doctrine itself, particularly among countries in the Global South, who had already viewed R2P with suspicion, fearing it could serve as a pretext for regime change and neo-colonial interference²⁴⁸.

In the years following Libya, major humanitarian crises (Syria, Yemen, Myanmar and Ethiopia) have not seen R2P invoked at the United Nations Security Council. The paralysis of the Council has been exacerbated by the return of great power rivalry, especially between Russia and the United States, which has led to the frequent use of the veto to block meaningful intervention²⁴⁹. While this stalemate cannot be blamed solely on Libya, the Libyan case has undeniably provided motives to R2P's detractors. Russia and China, for example, have cited the "abuse" of the Libyan mandate as justification for opposing subsequent resolutions, especially on Syria²⁵⁰. In this sense, Libya did not only

²⁴⁸ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, pp. 238–240

²⁴⁹ United Nations Security Council. "Security Council Report on the Veto," SCR Monthly Forecast, 2020

²⁵⁰ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

compromise the doctrine's credibility, it effectively diminished the consensus around its application, weakening international resolve in the face of atrocities.

In my opinion, the most damaging legacy of the Libya case is the erosion of moral clarity around R2P. The intervention showed that even when actions are taken under a multilateral framework with formal UN authorization, they can still be distorted by other motives. The mandate to protect civilians was swiftly expanded into one of regime change, with insufficient regard for what would follow. While some analysts argue that Gaddafi's removal was necessary to protect civilians, the lack of a clear plan for post-conflict governance raises serious ethical and strategic concerns²⁵¹. If regime change becomes the implicit goal of R2P, then the doctrine risks becoming indistinguishable from traditional interventionism and thus, unacceptable to many members of the international community.

That said, abandoning R2P entirely would be a mistake. The principle retains considerable moral and legal weight. It has been incorporated into countless UN documents, endorsed by regional organizations such as the African Union and the European Union, and cited in preventive diplomacy efforts. Its failures in Libya should not lead to its dismissal but rather to its reform. One important lesson from Libya is the need to ensure that any intervention under R2P must include a credible post-conflict strategy, ideally coordinated and financed by a coalition of actors beyond those who participated militarily. Additionally, the role of regional organizations, sidelined in the Libyan case, must be elevated. The African Union, which proposed a ceasefire and negotiation plan in 2011, was marginalized, contributing to African resentment and perceptions of Western double standards²⁵².

Another critical lesson concerns the centrality of trust. R2P's effectiveness depends on global consensus and that consensus cannot be sustained if the doctrine is used opportunistically. This requires institutional reforms, including limitations on the use of the veto in cases of mass atrocities, a proposal long championed by the Accountability,

²⁵¹ Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

²⁵² African Union Peace and Security Council. "Report on the Libyan Crisis and AU Roadmap." March 2011

Coherence, and Transparency (ACT) Group and others. While difficult to implement, such reforms are essential if R2P is to survive as a legitimate framework. Without mechanisms to prevent its abuse, the doctrine will remain vulnerable to the accusation that it serves the interests of the powerful at the expense of the weak²⁵³.

In conclusion, the Libyan case has left a complex and largely negative legacy for the Responsibility to Protect. While it briefly appeared to validate the international community's ability to act swiftly in the face of mass atrocities, it ultimately revealed the deep structural and political limitations of the doctrine. Future interventions under R2P must internalize the lessons of Libya: intervention cannot end with bombs; it must include peacebuilding, reconstruction and accountability. Unless these principles are institutionalized and enforced, R2P risks becoming another tool of selective humanitarianism, divorced from the very values it was meant to uphold.

3.5.3. Decline of Consensus Around R2P

While the NATO intervention was initially celebrated as a landmark case of international cooperation facing potential mass atrocities, its long-term consequences have been far more ambiguous. Among the most significant outcomes has been the gradual erosion of international consensus around R2P, both within institutional frameworks such as the United Nations and in the broader normative debate on humanitarian intervention.

Prior to 2011, R2P had been gradually gaining acceptance as a legitimate international norm. Following its unanimous endorsement by UN member states at the 2005 World Summit, R2P was increasingly seen as a means to bridge the gap between state sovereignty and international human rights protection²⁵⁴. However, the intervention in Libya badly undermined this fragile consensus. As numerous scholars have noted, Resolution 1973 was interpreted expansively by NATO to include direct military support for rebel forces and the ousting of Muammar Gaddafi²⁵⁵. For many states, particularly in

²⁵³ ACT Group. "Code of Conduct Regarding Security Council Action Against Genocide, Crimes Against Humanity or War Crimes." United Nations General Assembly, 2015

²⁵⁴ United Nations General Assembly. "2005 World Summit Outcome Document," A/RES/60/1, paras. 138–139

²⁵⁵ Thakur, Ramesh. "Libya and the Responsibility to Protect: Between Opportunistic Humanitarianism and Value-Free Pragmatism." *Journal of Human Rights*, vol. 10, no. 1, 2011

the Global South, this represented a betrayal of the original mandate and a confirmation of long-standing fears that R2P could serve as a cloak for Western geopolitical interests²⁵⁶.

The result was a backlash against R2P in subsequent international crises. Nowhere has this been more evident than in the case of Syria. Despite an even greater humanitarian catastrophe, the Security Council remained paralyzed, with Russia and China consistently vetoing resolutions that even hinted at coercive measures. These vetoes were often justified explicitly by reference to Libya, with both powers arguing that NATO had overstepped its mandate and that similar abuses could occur again²⁵⁷. The precedent of Libya thus directly contributed to the stalling of international action in Syria, illustrating how a single case of misuse can reverberate across multiple theaters of crisis.

Personally, I believe this erosion of consensus reveals both a structural flaw in the R2P framework and a deeper moral rupture in international relations. While the doctrine was intended to transcend power politics by placing human rights at the center of global concern, the Libya experience revealed that the application of R2P remains subject to the strategic calculations of powerful states. The inconsistency with which R2P has been applied (intervening forcefully in Libya, staying inert in Syria and ignoring Yemen or Myanmar) has reinforced the perception that it is not a universal principle but a selectively applied tool²⁵⁸. This inconsistency has led many states to distance themselves from R2P, viewing it as a mechanism that legitimizes external interference rather than as a protective norm grounded in moral responsibility.

The Libyan intervention also revealed institutional weaknesses within the UN system. The Security Council remains the gatekeeper for authorizing coercive action, yet its composition and veto structure often prevent timely and impartial responses to mass atrocities. Following the Libya case, initiatives such as the French proposal to suspend veto power in cases of atrocity crimes, or the ACT Group's Code of Conduct, gained

²⁵⁶ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, pp. 217–222

²⁵⁷ United Nations Security Council. “Meetings Coverage and Press Releases.” S/PV.6627, October 4, 2011

²⁵⁸ Hehir, Aidan. “The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect.” *International Security*, vol. 38, no. 1, 2013

traction but ultimately failed to produce binding reforms²⁵⁹. Without procedural safeguards and accountability mechanisms, R2P will continue to be susceptible to manipulation, and consensus around it will remain elusive.

However, the erosion of consensus should not be equated with the rejection of R2P's core principles. Many states continue to support the doctrine in its non-coercive forms, such as early warning mechanisms, capacity-building, and diplomatic engagement. What has been damaged is not the idea that the international community has a responsibility to protect, but the trust that such action will be guided by consistent and legitimate criteria. If anything, the Libya case underscores the need for more robust multilateral structures to ensure that R2P is implemented fairly and with a long-term commitment to peacebuilding²⁶⁰.

In conclusion, the intervention in Libya represents a turning point in the evolution of R2P. While it demonstrated that rapid international mobilization is possible under the doctrine, it also exposed the fragility of the consensus that underpinned it. If R2P is to survive as a meaningful normative framework, future applications must be accompanied by institutional reforms, consistent application and a renewed commitment to the values it was designed to uphold. Otherwise, the erosion of consensus witnessed in the aftermath of Libya may well prove fatal to the doctrine's future.

²⁵⁹ Global Centre for the Responsibility to Protect. "Code of Conduct Regarding Security Council Action." ACT Group, 2015

²⁶⁰ Welsh, Jennifer M. "Norm Contestation and the Responsibility to Protect." *Global Responsibility to Protect*, vol. 5, no. 4, 2013

4. Chapter 4

Rethinking R2P: Proposals for Reform and a New Framework

The challenges exposed by the Libya intervention demand a critical reflection on how the Responsibility to Protect can be reformed to fulfill its humanitarian promise while avoiding manipulation for geopolitical ends. Addressing issues such as selective application, the absence of clear thresholds and the marginalization of local actors requires a re-thinking of both the doctrine's principles and its operational mechanisms. Proposals for reform, including limiting the veto, enhancing regional engagement and establishing accountability frameworks are essential for rebuilding trust in R2P. This chapter explores these pathways, offering constructive solutions to bridge the gap between principle and practice.

4.1. Identified Flaws in the Current R2P Model

4.1.1. Overreliance on Military Solutions

A fundamental flaw in the current implementation of the Responsibility to Protect lies in its excessive reliance on military solutions as the primary, and often only, means of addressing mass atrocities. While R2P was conceived as a holistic doctrine encompassing prevention, response and rebuilding, in practice the international community has largely interpreted it through the lens of coercive force. The Libyan intervention in 2011 exemplifies this pattern with the authorization of "all necessary measures", which quickly translated into an expansive military campaign with little investment in diplomacy, mediation or non-military strategies. As a consequence, it becomes evident that the overemphasis on force not only risks distorting R2P's purpose but also undermines its credibility as humanitarian doctrine.

The consequences of this militarized approach are clear. In Libya, the NATO-led operation succeeded in toppling Gaddafi's regime but failed to establish a stable post-conflict order. This outcome was not inevitable, it was the product of a strategic choice to prioritize short-term military goals over long-term political solutions. The international community did not adequately explore non-violent alternatives such as negotiated settlements, power-sharing agreements or robust support for African Union mediation efforts. This pattern reveals a dangerous picture of R2P practice: when confronted with crises, especially in states with geopolitical importance to the Global North, the response often defaults to airstrikes and regime change, rather than sustained diplomatic engagement or support for local capacities.

Moreover, the focus on military tools often obscures the deeper structural causes of crises (economic inequality, weak institutions or historical grievances) that no amount of bombing can resolve. By framing intervention between inaction and military force, the international community traps itself in a cycle of selective engagement that fails to address the roots of violence. Libya must be a reminder that military action, even when justified by the desire to protect civilians, can unleash forces beyond control, including state collapse, regional destabilization and prolonged civil conflict.

Ultimately, again the overreliance on military means within R2P reflects the doctrine's vulnerability to geopolitical manipulation. Powerful states are more likely to support interventions that align with their strategic interests, using humanitarian language as a veneer. The Libyan case is not an isolated incident but part of a pattern that risks reducing R2P to an instrument of power politics. If the doctrine is to survive, it must evolve beyond the assumption that military force is the default response to human suffering.

4.1.2. Absence of Clear Criteria for Intervention

A second weakness in the Responsibility to Protect doctrine is the absence of universally accepted criteria for when and how to intervene in cases of mass atrocities. The Libyan intervention in 2011 has highlighted how this lack of clear standards creates space for arbitrary application, leaving the doctrine vulnerable. Without binding guidelines, powerful states retain the discretion to define the urgency, proportionality and legitimacy of action, which can lead to inconsistent responses across different crises. Reflecting on

the Libyan case, it is evident that the international community's interpretation of the threshold for action was shaped less by objective assessments of risk and more by political considerations, notably the interests of NATO members and their allies. While the rhetoric of "imminent genocide" in Benghazi has dominated debates, the evidence supporting such narrative was contested even at the time and no independent mechanism existed to verify the claims before authorizing force²⁶¹. This underscores a central problem: the absence of agreed criteria allows narratives to be constructed to fit political agendas, as opposed to fostering impartial decisions based on the severity and nature of the threat.

This gap is deeply troubling. If R2P is to function as a universal norm, it must not be left to the interpretation of a few powerful actors who, intentionally or not, may prioritize strategic interests over genuine humanitarian imperatives. The Libya case depicts how the ambiguity surrounding intervention criteria facilitated a rapid shift from protection to regime change, a transition that eroded trust in the doctrine and damaged its credibility. The lack of transparency and accountability in decision-making further compounded this erosion, leaving many states skeptical about supporting future R2P actions, especially when they involve military force.

The international community must confront this structural ambiguity. R2P's moral foundation risks crumbling unless it is anchored in clear and legally codified criteria that guide when intervention is warranted. Proposals such as the "Responsibility While Protecting" (RwP) initiative, which emerged from Brazil in 2011, offer a valuable starting point, advocating for a set of principles, including last resort, proportionality and post-intervention accountability, that could constrain opportunistic uses of R2P²⁶². Without these or similar mechanisms, the doctrine will remain vulnerable to selective invocation and the kind of geopolitical misuse seen in Libya will likely persist. The challenge is not whether R2P should exist, but how to ensure that its application aligns with the very humanitarian principles it was designed to defend.

²⁶¹ Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

²⁶² United Nations General Assembly. "Letter from the Permanent Representative of Brazil to the United Nations Addressed to the Secretary-General." A/66/551-S/2011/701, November 9, 2011

4.1.3. Political Manipulation of Humanitarian Language

Lastly, one of the most troubling aspects emerging from the Libyan case study is the political manipulation of humanitarian language to justify military intervention. The Responsibility to Protect was originally conceived as a doctrine to prevent mass atrocities, yet in practice, its language has been instrumentalized to serve the strategic interests. The Libyan intervention exemplifies this methodology: the framing of Gaddafi's actions as an imminent "genocide" and the repeated invocation of the specter of a "Benghazi massacre" played a decisive role in building support for military action. Yet, as several post-intervention assessments have shown, the claims of an imminent genocide were not corroborated by independent evidence at the time²⁶³.

This political instrumentalization of humanitarian narratives is perhaps the most dangerous threat to R2P's credibility. When the language of protection is manipulated to justify regime change or geopolitical strategies, it undermines the very moral foundation upon which the doctrine rests. In the Libyan case, humanitarian rhetoric was used as a shield for a wider agenda that included removing an authoritarian leader, securing access to resources and demonstrating Western resolution (and help) in a region marked by the Arab Spring. While Gaddafi's regime had undeniably committed human rights abuses, the framing of the intervention as an urgent necessity to prevent mass covered the more complex political realities, and left little room for alternative solutions, such as negotiations or regional mediation efforts²⁶⁴.

The selective amplification of certain crises while ignoring others further reveals the opportunistic nature of such rhetoric. Why was the international community so quick to act in Libya, but hesitant in Syria, Yemen or Myanmar? The answer lies not in the gravity of the humanitarian situations, but in the alignment of (or lack thereof) those crises with the strategic interests of major powers. This inconsistency erodes trust in the international

²⁶³ Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

²⁶⁴ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, pp. 216–218

system and reinforces perceptions that R2P is a tool of Western interventionism rather than a neutral system for protecting civilians²⁶⁵.

In conclusion, if the international community is serious about upholding the doctrine's legitimacy, it must develop mechanisms to ensure that claims of impending mass atrocities are rigorously verified and that humanitarian language is not used as a pretext for interventions driven by ulterior motives.

4.2. Reforming the Decision-Making Process

4.2.1. Limiting the UNSC Veto in Mass Atrocity Cases

As largely debated in the previous chapters, the unrestricted use of the veto by permanent members of the United Nations Security Council, particularly in situations involving mass atrocities, represents a key obstacle to the effective implementation of the Responsibility to Protect. The aftermath of Libyan case underscores this issue, because the backlash against perceived abuses of the mandate has made powerful states even more reluctant to act, with Russia and China frequently invoking the Libya precedent to block resolutions on Syria and beyond²⁶⁶. This pattern reveals a fundamental structural flaw: the Security Council, as currently configured, allows political interests to override moral imperatives, leaving populations vulnerable to violence while powerful states wield vetoes as instruments of realpolitik.

Reforming the veto system should not only be a technical issue, but also an ethical obligation. There must be a mechanism that prioritizes the protection of civilians over the strategic calculus of a few states to prevent future tragedies like Rwanda, Srebrenica or even the post-Libya destabilization. Proposals such as the French initiative to voluntarily suspend the veto in cases of mass atrocities or the ACT Group's Code of Conduct offer promising starting points²⁶⁷. Yet, these proposals remain non-binding and largely ignored,

²⁶⁵ Thakur, Ramesh. "Libya and the Responsibility to Protect: Between Opportunistic Humanitarianism and Value-Free Pragmatism." *Journal of Human Rights*, vol. 10, no. 1, 2011

²⁶⁶ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

²⁶⁷ Global Centre for the Responsibility to Protect. "Code of Conduct Regarding Security Council Action in Situations of Genocide, Crimes Against Humanity or War Crimes." ACT Group, 2015

reflecting the entrenched resistance of powerful states to relinquish even a modicum of their influence.

The international community's failure to institutionalize such reforms is a proof of the limitations of the current system. Without meaningful restrictions on the veto, R2P risks becoming a void doctrine, applied selectively when it aligns with the interests of the powerful and ignored when it does not. The Libya case demonstrates that even when action is taken, it can be swiftly followed by inaction elsewhere, eroding both moral credibility and the willingness of states to support future interventions.

Ultimately, limiting the veto in atrocity situations is not a universal remedy, but it is a necessary step toward making R2P more consistent and principled. Without such reforms, the international community will continue to face a credibility gap: a doctrine that only aspires to protect populations yet remains shackled by the political agendas. If they are serious about upholding the promise of "never again," then limiting the UNSC veto in these situations must be a priority.

4.2.2. Strengthening the Role of the General Assembly

Concerning the excessive concentration of decision-making power within the United Nations Security Council where the use of the veto often blocks action even in the face of mass atrocities, strengthening the role of the General Assembly could provide a counterbalance to this structural imbalance. The General Assembly, as the most representative body within the UN system, offers a forum less constrained by the political strategies and interests of a few powerful states. This inclusivity is particularly crucial when Security Council inaction allows mass atrocities to continue unchecked, as was the case in Syria after the Libya intervention.

The use of the "Uniting for Peace" mechanism, established during the Korean War crisis, offers a precedent for empowering the General Assembly in moments of Security Council paralysis²⁶⁸. Although rarely used, this mechanism allows the General Assembly to recommend collective action, including the use of force, when the Security Council fails

²⁶⁸ United Nations General Assembly. "Uniting for Peace Resolution." A/RES/377(V), November 3, 1950

to act in the face of threats to peace and security. Revitalizing and institutionalizing this pathway for R2P situations could help prevent a repeat of the Libyan scenario, where post-intervention consensus eroded and the doctrine's legitimacy was undermined. However, the General Assembly's resolutions are non-binding and their moral weight depends on the political will of member states. This limitation cannot be ignored, but in my opinion, giving the General Assembly a stronger voice, especially through procedural reforms that elevate its role in atrocity prevention, would enhance R2P's resilience against selective application.

Strengthening the UNGA's role could also promote greater transparency and inclusivity in decision-making processes. The Libya case revealed how unclear decision-making, dominated by a few Security Council members, can lead to interventions driven by strategic interests rather than objective humanitarian needs. A stronger General Assembly role could force greater accountability by requiring debate and input from a diverse range of states, including those most directly affected by the consequences of intervention.

Ultimately, if R2P is to avoid being perceived as a tool for Western-led interventions, the General Assembly must play a more central role in legitimizing or questioning the use of force in atrocity situations. This shift would not eliminate the problems of selectivity entirely, but it would at least diffuse decision-making power and foster a more pluralistic approach to the protection of civilians.

4.2.3. Enhancing Regional Organizations' Mandates

Finally, the marginalization of regional organizations in decision-making and intervention processes under the Responsibility to Protect is a critical lesson emerging from the Libyan case as well. While the African Union and the Arab League were both involved in the Libyan crisis, their roles were ultimately sidelined by the more dominant NATO-led intervention. The AU's proposal, for instance, was completely ignored by the United Nations Security Council and Western actors, who favored a military response. The insufficient recognition and empowerment of regional organizations as legitimate and necessary actors in the operationalization of R2P was more than evident.

Enhancing the mandates of regional organizations is a matter of political fairness and practical necessity. Regional bodies often possess greater contextual understanding, cultural proximity and local credibility, all of which are vital for crafting effective and sustainable responses to crises. The African Union's efforts in Libya demonstrated a willingness to engage diplomatically and a capacity for conflict resolution that should have been harnessed rather than dismissed. Strengthening these mandates would involve providing regional organizations with technical support and institutional authority to implement R2P principles, including preventive diplomacy, mediation and, when necessary, regional enforcement action.

Furthermore, giving regional organizations a stronger voice could serve as a counterbalance to the tendency of powerful states to dominate R2P decision-making. By ensuring that regional perspectives are integrated into Security Council deliberations, the international community could help mitigate the selective application of R2P and promote a more equitable and multipolar approach to civilian protection. In my view, this is particularly important in contexts like Africa and the Middle East, where external interventions have often been viewed with deep skepticism due to their historical associations with imperialism and geopolitical interference²⁶⁹.

4.3. Establishing Clear Criteria for Legitimate Intervention

4.3.1. Threshold of Harm and Imminence

The Libyan intervention in 2011 illustrates the absence of precise and universally agreed criteria defining when an intervention is justified. The decision to authorize military action rested on a narrative of an imminent humanitarian catastrophe, yet the threshold of harm that would have justified such drastic action was never precisely established and the notion of "imminence" remained subjective, shaped by political discourse rather than independent analysis. This vagueness allowed for a highly elastic interpretation, which in turn enabled the instrumentalization of R2P. This lack of definitional clarity undermines both the legitimacy and the consistency of the doctrine. If an evidence-based threshold

²⁶⁹ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, pp. 198–199

for when an intervention is warranted cannot be established, R2P turns into just a rhetorical tool.

The challenge, however, is not simply to define a threshold but to ensure that it is operational, impartial and generally respected. The threshold for intervention should be set at a level of harm that is serious enough to demand collective action, but also accompanied by a stringent requirement of verifiable evidence. In Libya, the claims of mass atrocities were never subjected to an independent assessment before military action was launched, which raises serious questions about the objectivity of the intervention as the scholar Aidan Hehir did²⁷⁰. A stronger framework would require that any invocation of R2P be based on a multilateral and impartial fact-checking process, perhaps led by the UN Human Rights Council or an independent commission, to assess whether the threshold of harm has been crossed.

Failing to set clear limits would leave the doctrine vulnerable to manipulation, as seen in Libya, where the narrative of urgency became a justification for regime change. A more precise threshold with procedural safeguards would help ensure that interventions are truly exceptional measures of last resort, rather than opportunistic actions hidden behind humanitarian language. It would also foster greater trust in R2P, particularly among states in the Global South, where skepticism toward the doctrine remains high.

4.3.2. Proportionality and Last Resort

The Libyan intervention exposed the lack of clear operational standards as well for ensuring that the use of force under the Responsibility to Protect adheres to the principles of proportionality and last resort. While the doctrine, in theory, embraces these principles, in practice they have been overlooked or interpreted flexibly to suit political agendas. In Libya, the speed at which military action was authorized and the width of its implementation let suppose a failure to consider whether all non-military options had been exhausted and whether the scale of intervention was truly proportionate to the threat. The Security Council's Resolution 1973 authorized "all necessary measures" to protect

²⁷⁰ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

civilians, but this wide mandate quickly became a justification for a full-scale military campaign and regime change²⁷¹. The lack of rigorous scrutiny in assessing whether less invasive means could have achieved protection objectives is problematic, as it undermines the legitimacy of intervention and sets a dangerous precedent for future cases.

Proportionality and last resort must not remain abstract principles but must be embedded as operational requirements in the decision-making process. The Libyan case shows how their absence can lead to an escalation of violence rather than a mitigation of harm. The rapid shift from a narrowly defined civilian protection mandate to an expansive military strategy, including the targeting of government infrastructure and support for rebel forces, raises questions about whether the intervention's scale was necessary and whether its outcomes (state collapse, civil war and regional destabilization) could have been anticipated and possibly avoided with a more restrained approach²⁷².

Furthermore, the principle of last resort should require that all diplomatic, economic and political avenues be thoroughly explored and publicly documented before any military action is taken. In Libya, mediation efforts, including those led by the African Union, were sidelined, suggesting a lack of genuine commitment to exhausting non-violent alternatives. This failure was not an accident but a consequence of the political motivations driving the intervention. When humanitarian language is used to legitimize pre-existing geopolitical agendas, proportionality and last resort become secondary concerns.

4.3.3. Accountability and Post-Intervention Evaluation

The third and last weaknesses in the application of the Responsibility to Protect in Libya was the absence of solid mechanisms for accountability and post-intervention evaluation. The 2011 NATO intervention ultimately failed to establish a framework for assessing the long-term consequences of the operation or holding actors accountable for their actions. This lack of post-intervention analysis has contributed to the perception that R2P can be

²⁷¹ Hehir, Aidan. "The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect." *International Security*, vol. 38, no. 1, 2013

²⁷² Kuperman, Alan J. "A Model Humanitarian Intervention? Reassessing NATO's Libya Campaign." *International Security*, vol. 38, no. 1, 2013

instrumentalized for short-term political objectives, with little regard for the aftermath or the suffering of populations left behind. In the case study, the absence of a formal accountability process meant that no one was held responsible for the collapse of state institutions, the proliferation of militias and the destabilization of the region, all of which exacerbated the very human suffering R2P was meant to prevent.

Accountability must be an integral part of any R2P intervention. If the doctrine is to retain legitimacy, it cannot end with the cessation of hostilities or the fall of a regime; it must extend to an evaluation of the intervention's consequences, including whether the use of force was proportionate, whether alternative measures were sufficiently explored and what the long-term impacts on civilian populations have been. Without this post-intervention assessment, R2P is a doctrine of convenience, invoked in the heat of crisis and forgotten in the aftermath. The international community's failure to learn from Libya, by systematically evaluating the intervention's outcomes and identifying mistakes, reflects an unwillingness to confront uncomfortable truths about the misuse of humanitarian language and the selective application of R2P principles.

Moreover, establishing formal mechanisms for post-intervention evaluation would serve as a deterrent against the instrumentalization of R2P for geopolitical purposes. If intervening states know they will be held accountable not only for their intentions but for the actual consequences of their actions, they may exercise greater caution and ensure that humanitarian rhetoric is not simply a pretext for power projection. Accountability should not be an optional add-on to R2P but a core component of its framework. Without accountability and evaluation, the lessons of Libya risk being ignored and the cycle of selective and interest-driven interventions will continue unchecked.

4.4. Strengthening the Preventive Pillar

4.4.1. Early Warning Systems and Diplomacy

A crucial, however neglected, main component of the Responsibility to Protect is its preventive pillar, specifically the capacity for early warning and the political will to act upon it. The case study analyzed in chapter 3 demonstrates how the failure to invest in strong early warning systems and sustained diplomatic engagement can lead to a crisis

that goes out of control. In 2011, there were certainly signs of escalating tensions and repression in Libya, but there was little coordinated effort to proactively address the underlying problems or to engage in preventive diplomacy before violence erupted. This omission contributed to a reactive posture by the international community, where the eventual intervention was framed as an emergency response rather than a failure of prevention.

Reflecting critically on the Libyan case, it becomes evident that strengthening early warning mechanisms and diplomatic actions would be a great procedural enhancement. In my view, too much of the global response to crises remains driven by last-minute, often military, interventions, rather than by sustained efforts to de-escalate tensions before they explode. Effective early warning systems (built on credible, transparent data, local knowledge and regular monitoring) could help identify warning signs of mass atrocities at an earlier stage, allowing for non-military tools such as mediation, political dialogue and sanctions to be deployed. This approach would not only reduce the likelihood of armed conflict but also ensure that R2P is seen as a doctrine of prevention rather than punishment.

However, the existence of early warning systems is meaningless without the political will to act. The ‘selective listening’ undermines the credibility of R2P as a genuinely multilateral and preventative doctrine. No intervention under R2P should be authorized unless there is a demonstrable record of sustained preventive engagement, including attempts at diplomacy, economic incentives and other non-violent measures.

4.4.2. Economic and Political Incentives for Prevention

While military intervention often dominates discussions on R2P, it is essential to recognize that prevention is not merely about early warnings or diplomatic statements, it also requires practical leverage. The use of economic and political incentives to encourage states at risk of mass atrocities to alter their behavior is a strong tool but underused. Prior to the 2011 intervention, the international community largely focused on condemnation and threats, but little was done to offer Libya credible incentives for political reform, dialogue or human rights improvements. This omission reflected that military action was seen as the default solution, rather than a last resort.

The failure to employ economic and political incentives in Libya demonstrates a fundamental gap in the operationalization of R2P. Sanctions, for example, are often treated as punitive tools, but they can also be designed as part of a constructive strategy, offering pathways for regime behavior change, conditional relief or access to international support in exchange for concrete human rights commitments. In Libya's case, the sanctions imposed in early 2011 were framed in purely punitive terms, with no structured dialogue for Gaddafi's government to de-escalate the crisis in exchange for relief²⁷³. This rigid approach left no viable exit strategy, edging the regime and pushing it further into a defensive and violent stance.

Political incentives are equally important. The mediation efforts by the African Union could have been strengthened with international backing and concrete offers, such as guarantees for transitional justice or international monitoring mechanisms to protect civilians during negotiations. However, these proposals were sidelined, revealing the limited appetite of major powers to prioritize non-violent solutions once the intervention narrative took hold.

4.4.3. Coordination with NGOs and Civil Society

The Libyan intervention in 2011 revealed how limited engagement with non-governmental organizations (NGOs) and civil society actors can weaken both the legitimacy and the effectiveness of international action. Generally speaking, they are often the first to document emerging atrocities, provide early warnings and mobilize advocacy efforts. However, in the Libya case, their insights were not systematically integrated into the decision-making processes that led to the NATO intervention. Instead, major powers opted for a top-down approach that privileged state-level deliberations in the UN Security Council over more inclusive engagement. This exclusion contributed to the perception that R2P was not a truly multilateral and humanitarian initiative.

The very spirit of R2P, which is supposed to be a collective shared responsibility to protect populations from mass atrocities requires coordination with these stakeholders. These organizations offer unique perspectives and can challenge official narratives that

²⁷³ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, p. 198

may be shaped by political agendas. For example, while governments debated intervention in Libya, many humanitarian organizations and local actors voiced concerns about the likely humanitarian fallout of military action, including the destabilization of the country and the risk of civilian casualties²⁷⁴. These warnings, however, were ignored too, reinforcing the sense that R2P in Libya was applied selectively, with limited regard for the complex realities on the ground.

Institutionalizing mechanisms for systematic coordination with NGOs would strengthen the R2P framework by ensuring that a diversity of expertise informs international responses. This could include formal consultation processes, structured channels for sharing data and assessments and greater transparency in how civil society inputs are used in Security Council deliberations. It would also help prevent the co-option of humanitarian language by political actors seeking to justify interventions that may not align with the needs and interests of affected populations.

Again, with this attitude becomes evident the tendency to treat R2P as a state-centric doctrine rather than a global endeavor. If R2P is to fulfill its promise, it must embrace a more inclusive approach that recognizes the indispensable role of non-state actors in the protection of civilians.

4.5. A Humanitarian First-Vision for R2P

4.5.1. Re-centering Victims and Local Populations

The Responsibility to Protect was initially conceived as a doctrine to protect people from mass atrocities, yet in practice, it has frequently marginalized the very communities it purports to defend. In Libya, the intervention was justified in the name of protecting civilians, but there was little meaningful engagement with those most affected, they were treated as passive recipients of external decisions. The people of Libya were absent from the deliberations that shaped the international response and their voices were overshadowed by the interests of external powers²⁷⁵. This disconnection between the

²⁷⁴ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, p. 190

²⁷⁵ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, p. 193

principle of protection and the realities on the ground leads to the need to re-center victims and local populations, which is at the heart of R2P's operational framework.

A truly humanitarian vision of R2P must prioritize the needs and perspectives of those directly impacted by conflict. This requires moving beyond a state-centric model and embracing participatory approaches that involve local communities in decision-making processes at every stage, from early warning and prevention to intervention and post-conflict recovery. Too often, as in Libya, interventions proceed based on assumptions about what is best for "the people," without asking them. This not only risks misreading the situation but can also fuel resentment and undermine the legitimacy of any external action.

To operationalize this shift, the international community should establish mechanisms that ensure affected populations have a seat at the table. This could include consultative bodies within the United Nations system, dedicated channels for civil society input into Security Council deliberations and dialogue processes before any intervention is authorized. Moreover, any R2P-mandated action must be accompanied by long-term support for local capacity building, governance reform and inclusive peace processes that prioritize local ownership.

4.5.2. Building Trust in International Institutions

At this point, it is easy to assess how selective and inconsistent application of R2P can deepen skepticism, particularly among states in the Global South. Many governments viewed the Libya case not as a genuine humanitarian intervention, but as a political maneuver by powerful Western states to justify regime change under the guise of civilian protection²⁷⁶. This perception has had lasting consequences because it has weakened support for R2P and deepened suspicions that international institutions, especially the UN Security Council, serve the interests of a few rather than the collective good.

Rebuilding trust in international institutions must be one of the priorities. This requires moving beyond rhetoric and demonstrating, in practice, that institutions like the UN can

²⁷⁶ Hehir, Aidan. *The Permanence of Inconsistency: Libya, the Security Council and the Responsibility to Protect*. *International Security*, vol. 38, no. 1, 2013

act impartially, prioritize human protection over geopolitical interests and apply principles consistently across cases. The Security Council's failure to authorize intervention in Syria, despite widespread atrocities, while moving decisively in Libya, has only reinforced perceptions of double standards²⁷⁷.

Thus, to rebuild trust, structural reforms are necessary, but so is a cultural shift in how interventions are approached. Greater transparency in decision-making, more inclusive consultation processes involving states from different regions and a commitment to follow-up assessments of interventions, all these steps can help demonstrate that R2P is truly a shared responsibility. Clearly, trust cannot be imposed. It must be earned through consistent, fair and accountable action. Since the Libyan case exposed the fragility of trust and the ease with which it can be shattered, rebuilding it will take time, but it is essential if R2P is to regain its legitimacy and be seen as a doctrine genuinely aimed at preventing mass atrocities.

4.5.3. Toward a Normative Revival of R2P

The Responsibility to Protect was born out of a profound moral principle: to ensure that the international community would never again stand by in the face of atrocities. Yet, as the Libya case demonstrates, the application of R2P has often fallen short of its noble ideals.

However, R2P remains too important to abandon. The alternative (returning to a world where sovereignty is an absolute shield, regardless of atrocities committed by a state against its own people) is unacceptable. The challenge, therefore, is not to discard R2P, but to reform and revive it as a better doctrine. This means returning to the original spirit of R2P as articulated in the 2001 ICISS Report: a framework that prioritizes prevention, centers the voices of affected populations and ensures that any use of force is genuinely a last resort, subject to rigorous oversight and post-intervention accountability²⁷⁸.

²⁷⁷ Bellamy, Alex J. *The Responsibility to Protect: A Defense*. Oxford University Press, 2015, p. 210

²⁷⁸ International Commission on Intervention and State Sovereignty (ICISS). *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty*. International Development Research Centre, 2001

A normative revival of R2P requires several key shifts. First, the principle must be depoliticized and applied consistently, without being manipulated by the strategic interests of major powers. Second, R2P must be re-grounded in a commitment to multilateralism, with stronger roles for regional organizations, the General Assembly and civil society in decision-making processes. Third, and perhaps the most important, R2P must reclaim its preventive focus, emphasizing diplomacy, economic and political incentives, and early warning systems over coercive measures whenever possible.

The Libya case must serve as a cautionary tale but also as a call to action. If the commitment to protect populations from mass atrocities is serious, the failures of the past should not define the future of R2P. The doctrine must evolve, but it must not be abandoned. Its promise, a world where the international community acts to prevent the crimes against humanity, remains a moral and political aspiration worth fighting for.

Conclusion

This thesis has critically examined the selective and interest-driven application of the Responsibility to Protect through the lens of the 2011 NATO intervention in Libya. It set out to answer the central research question: *To what extent has the Responsibility to Protect, originally conceived as a humanitarian doctrine, been applied selectively and arbitrarily in Libya in 2011 to serve geopolitical interests?* Through a structured analysis across four chapters, this study has demonstrated that while R2P was born out of a genuine ethical commitment to prevent mass atrocities, its application in Libya reveals a significant gap between normative ideals and political practice.

The case study of Libya has illustrated how R2P, despite its aspirational objectives, has been susceptible to manipulation by powerful states pursuing strategic interests. The humanitarian rhetoric surrounding the "Benghazi massacre" was instrumental in galvanizing international support for intervention, yet evidence suggests that the threat of imminent genocide was exaggerated and the subsequent military operation swiftly became a regime change campaign. NATO's actions, framed as a moral necessity to protect civilians, ultimately resulted in the overthrow of Muammar Gaddafi's regime and plunged Libya into prolonged instability and regional chaos. This outcome challenges the foundational premise of R2P as a doctrine committed solely to humanitarian protection, revealing instead a selective engagement shaped by the geopolitical calculations of the Security Council's permanent members.

The literature review and theoretical framework further underscored how R2P's implementation is constrained by structural imbalances within the UN system, where the veto power of the P5 undermines consistent application. The analysis also highlighted the lack of clear criteria for invoking R2P, leaving it vulnerable to subjective interpretations and political instrumentalization. While some scholars defend R2P's normative value as a progressive step in international relations, the Libyan intervention illustrated how, in practice, the doctrine can become a convenient tool for states to classify strategic interventions in humanitarian language.

This thesis does not argue for the abandonment of R2P. On the contrary, the normative aspiration of preventing mass atrocities remains central and must be preserved. However, as said at the beginning, the Libyan case serves as a ‘cautionary tale’, reminding us that good intentions can be manipulated when international norms are operationalized in a politicized international order. R2P must evolve to address its deficiencies: clearer and binding criteria for intervention, stronger oversight mechanisms and a commitment to post-intervention accountability are essential if the doctrine is to regain credibility and avoid further decline of consensus. Without these reforms, R2P risks becoming a void doctrine, invoked when convenient and ignored when politically costly.

Furthermore, the broader implications of the Libya case highlight the importance of moving beyond reactive, militarized responses to crises. The overreliance on force, as seen in Libya, often produces unintended and destructive consequences that undermine the very objectives R2P seeks to achieve. A reformed R2P must emphasize prevention, diplomacy and support for local and regional solutions as primary tools of protection. It must also shift toward a genuinely multilateral approach, empowering voices from regional organizations and civil society to counterbalance the dominance of powerful states in shaping intervention agendas.

Ultimately, the Libya intervention demonstrates that the moral legitimacy of R2P relies on its consistent and accountable application. The doctrine’s future depends on the willingness of the international community to confront its internal contradictions and commit to reforms that prioritize the protection of populations over the pursuit of geopolitical advantage. R2P’s promise remains a noble goal, but without structural change, the doctrine risks further decline into irrelevance or misuse.

This thesis has argued that the Libya case is not an isolated failure but a reflection of systemic flaws within the current global order. The challenge ahead is to reclaim the original spirit of R2P, ensuring that its application is grounded in genuine humanitarian concern rather than political expediency. Only by doing so the international community can hope to honor the moral imperative that gave birth to R2P: the shared responsibility to protect populations from the gravest crimes of our time.

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