



BRETTERRBLOG

ÜBER UNS

WARUM BRETTERRBLOG?

Perspektiven auf globale Politik

R2P MIGHT BE FALTERING, BUT IT IS NOT YET FALLEN

16. Dezember 2015 · von Gregor Hofmann · in *Debatte* · [Hinterlasse einen Kommentar](#)

Some argue that the Responsibility to Protect, an international norm that aims to prevent mass atrocities, was faltering, because of its abuse in Libya and its non-application in Syria. Gregor Hofmann argues in this [cross-post from the ICRtoP-Blog](#) that the critics' interpretation was limiting R2P to its interventionist aspects. If one looks at the whole set of norms that is included in R2P, it becomes apparent that R2P is under pressure, but not yet death.



Source: Rev. Wilfredo Benitez für Orange County for Darfur

The strength of R2P agenda is not to be equated with the frequency of humanitarian interventions

Ten years after its unanimous acknowledgment by the UN General Assembly, does the Responsibility to Protect (R2P) actually find support among states? In a recent contribution to the [Monkey Cage Blog at the Washington Post](#), [Mark Kersten](#) draws a rather pessimistic picture of R2P:

”

“The international community’s disregard for R2P in Syria certainly does harm to the doctrine. So too does Libya’s languishing in a violent political crisis and the allegations that R2P acted as a veneer for regime change. But what has also wounded R2P is the hubris of some of its proponents – those who over-confidently insisted that R2P had been invoked when it hadn’t and that it existed where it didn’t.”

He is warning of a another buyer’s remorse with regards to R2P,: Its, at least by many perceived, application in Libya and its non-application in Syria caused chaos and death, while academics and diplomats are trying to “talk and write norms into reality” that were not existent in this form.

Does exaggeration undermine legitimacy?

Kersten has a point regarding the latter: in their “marketing” of the norm, civil society actors and academics often give the impression that R2P is already firmly anchored internationally. R2P-campaigning by non-governmental organizations – like [ICRtoP](#), [GCR2P](#) and [AP R2P](#), dedicated individuals, diplomats from various states and the Secretariat of the United Nations – has made possible the relatively rapid development of the R2P from an idea to a set of norms becoming more and more firmly embedded and salient in the UN context. In media contributions, at events held by R2P supporters, and in many scholarly publications, however, the level of support for R2P in member states is sometimes deliberately exaggerated in order to increase social pressure on the states and the Security Council to observe R2P. However, skeptics of R2P which regard the R2P agenda as an imposition of Western values on them may perceive this as a point in their case. It should also not be forgotten that the majority of nations have never stated their position on R2P: During the [General Assembly’s 2015 informal interactive Dialogue on R2P](#), 69 states have spoken on behalf of 89 states – which means that more than half of UN member states have not uttered their position. The exaggeration of R2P’s support entails the danger of eventually [undermining of R2P’s legitimacy](#), as for example [Christopher Daase](#) argues.

R2P is more than humanitarian intervention

However, I would argue against Kersten that he is restricting the R2P beneath its actual meaning, similar to other critics of R2P like [Aidan Hehir](#), [Roland Paris](#), (even though criticizing this at the same time) [David Chandler](#): The R2P is more than the responsibility of the international community to protect populations at risk, if a state proves unwilling or unable to do so. It is a set of norms that specifies a number of behavioral expectations from states and international organizations. First, there is the responsibility norm, i.e., the expectation that individual states will protect their populations from genocide, war crimes, crimes against humanity and ethnic cleansing (first pillar). Second, the support norms entail the expectations that, upon request, the international community will support individual states in fulfilling their responsibilities and that states will ask for an accept international support in times of crisis (second pillar). Third, the reaction norm formulates the expectation that, in the event of the failure or unwillingness of a government, the international community – represented by the UN Security Council – will react rapidly and decisively (third pillar).

Moreover, I would suggest another way of measuring R2P’s strength: Examining cases when implementation was enforced in cases of norm violation, for example by imposing sanctions or using force, is of course an obvious way to gauge a norm’s influence. But focusing only on the effects of a norm and its sanction mechanisms for inducing compliance does not go far enough. International norms are general expectations of the behavior of the actors and states addressed by it. Consequently, the first key indicator of – national and international – acceptance of a norm is its presence in political debate. If many and

also important actors make reference to a norm in a positive manner, it acquires a certain validity. In addition, the significance of a norm can be seen in its use as a rule for political behavior as well as in its embeddedness in institutions, laws and procedures.

When looking at these three dimensions, it becomes apparent that, as a set of norms, R2P is gaining moderate acceptance in the community of states. In the following, I will briefly justify my view on R2P's strength that I have examined in more detail in a recently published PRIF-Report.

Discourse on R2P

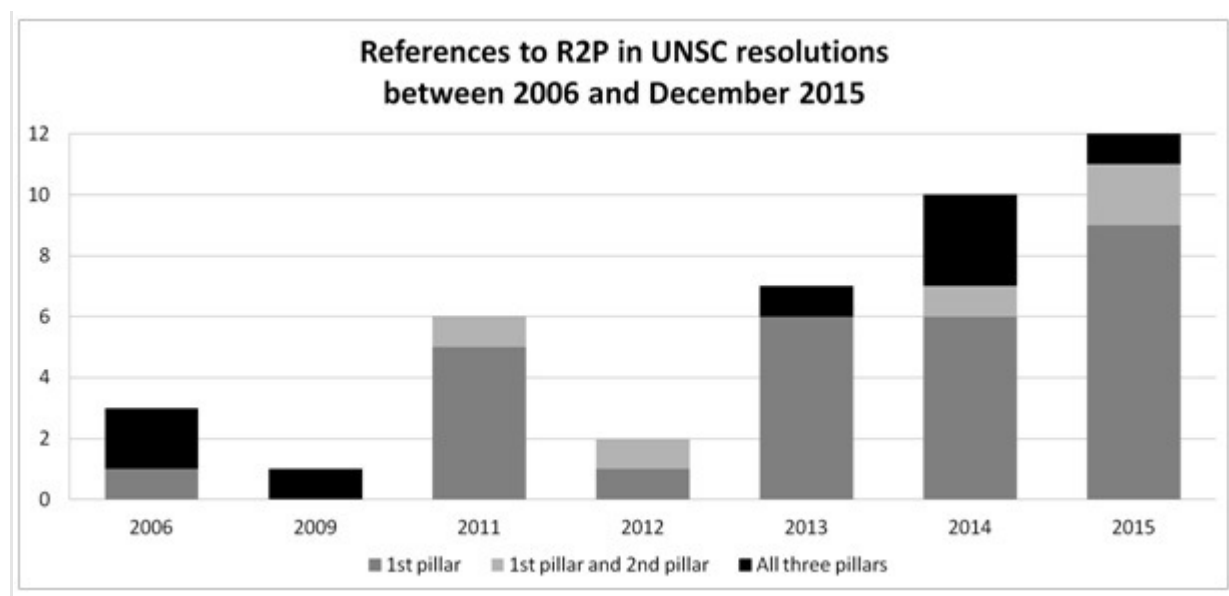
Even though Mark Kersten argues that "by raising expectations bound to be frustrated, [...] advocates have hurt the R2P doctrine they hoped to elevate", I would argue, that the disagreements among states regarding the significance and application of the reaction norm and the emphasis by the UN, civil society actors and like-minded states on prevention and international support instruments is precisely what has kept R2P alive and evolving: Most nations have acknowledged nominally that the protection of their populations from genocide, war crimes, crimes against humanity and ethnic cleansing is a prerequisite for the legitimate exercise of sovereignty. This becomes apparent in statements by state representatives on R2P but also in the Security Council's references to the first pillar of R2P.

There is also basic agreement that in extreme cases the international community has a responsibility to intervene. However, because the thresholds for exercising this responsibility are interpreted differently and due to justice concerns among states over selectivity and transparency in the decision making processes of the Security Council, the reactive component of the R2P is hardly applied. Even in cases where the Security Council is able to find an agreement, many developing and emerging nations ask for more supervision of issued mandates in order to avoid disproportionate intervention in the internal affairs of the target nation. The disagreement regarding NATO exceeding its mandate in the 2011 Libya intervention led Brazil to develop the idea of a "responsibility while protecting" (RwP) and Chinese scholar Ruan Zongze to develop the "responsible protection" concept. Both call for greater transparency and accountability of those intervening based on authorization from the Security Council but none of them has yet induced a reform agenda. Due to the Security Council's deadlock regarding the Syria conflict, various initiatives for limiting the veto power of the five permanent members of the Security Council have gained a new lease on life. These initiatives are supported by a majority of UN member states but have so far not brought any progress, due to unwillingness on the side of Russia and China but also the US to limit their possibilities to use the veto.

R2P's application

How prevention of and reactions to specific atrocities are to be implemented is highly contentious among states. The limitation of national sovereignty is still a hotly burning issue for states from the global south. Especially in cases in which it came to an international intervention without the agreement of the local government, many states are expressing mistrust of the motives of the intervening states. Changes of regime imposed by force, such as in Libya in 2011, are not achieving any acceptance. Developing and emerging nations prefer peaceful and less-intrusive forms of reaction and see dialogue as the best form of conflict resolution, whereas some Western nations frequently insist on giving a UN Peacekeeping operation responsibility for protecting the civil populace or even wish to use force themselves, as in Libya or Côte d'Ivoire. The critical stance of many states on intervention gives legitimacy to Russia's and China's blockade mentality in the Security Council.

And hence, as Kersten points out rightly, R2P's third pillar has yet not been explicitly referred to in Security Council resolutions. But there have been 41 confirmatory references to the responsibility to protect in Security Council resolutions since 2005:



References to R2P in Security Council Resolutions between 2006 and December 2015; Source: own research

Even though most of these references are not based on the entire set of norms included in R2P, but only on the responsibility of the individual state involved, the record shows that R2P is not yet in decay, but is providing at least some leverage in situations where just minor Great Power interests are involved. Examples are the (still belated) intervention in the Central African Republic by France and the [policy of open gates by the UN's Peacekeeping operation in South Sudan](#). In both cases assistance in fulfilling the governments' R2P is a central part of the mandate of the UN peacekeeping missions.

R2P's institutionalization

Conflicts over R2P's application had also constructive effects: [Norm champions and civil society adapted their strategies](#), re-affirmed international support for Security Council reform proposals and set in motion regional implementation initiatives, without which the R2P would probably be experiencing less acceptance today. R2P's institutionalization is progressing:

In the United Nations the R2P is institutionally established in the form of the [joint office of the two special advisers for the prevention of genocide and the R2P](#), in the annual interactive [dialogue of the General Assembly on the R2P](#), and through the [Human Rights Up Front action plan](#). In his [reports on the implementation of R2P](#), the Secretary-General lined out a broad prevention and protection agenda.

Concerned about the deadlocked debate on the appropriate reaction to serious atrocities, a few smaller countries and NGOs reacted with new initiatives on atrocity prevention. Institutionalization is hence also progressing on the regional and national level: Currently 51 states are participating in the [R2P focal points](#) network, which is supported by GCR2P. Moreover, the R2P debate triggered the development of intergovernmental atrocity prevention networks that are not directly related to R2P, such as the [Latin American Network for Genocide and Mass Atrocity Prevention](#), which is supported by the Auschwitz Institute for Peace and Reconciliation, and the [Global Action against Mass Atrocity Crimes](#) initiative (GAAMAC), initiated by three members of the already existing [Prevention of Genocide network](#) (Argentina, Switzerland, and Tanzania) and three co-facilitators of the R2P Focal Point Initiative (Australia, Costa Rica, and Denmark). Currently, AP R2P is trying to push for a stronger engagement with R2P in South-East Asia, as a follow up to the report of the [High Level Advisory Panel on the Responsibility to Protect in Southeast Asia](#), chaired by Dr Surin Pitsuwan, former ASEAN Secretary General. The reasoning behind this institutionalization of R2P seems to be twofold: First, it contributes to the implementation of its preventive dimensions. Second, making skeptics familiar with all aspects of R2P and how it may contribute to the strengthening of their national sovereignty and security may dilute their opposition to an application of the third pillar in the face of mass atrocity crimes.

R2P is still alive

R2P is a rather young international norm. It may sound cynical, but what became of R2P within a period of ten years should not be underestimated: on the one hand, it became a tool for advocacy groups to put pressure in the Security Council to react to atrocities. And even though the biggest crisis at the moment – Syria – is not addressed in R2P terms, there have been other cases like Côte d’Ivoire, South Sudan and Central Africa where the invocation of R2P facilitated some international reactions to atrocities that might otherwise probably not have taken place.

Acceptance of R2P in the community of states

		Degree of acceptance of the norm		
		High	Moderate	Low
Indicators	Salience of the norm in the discourse	Pillars 1 and 2 of R2P are widely accepted.	Pillar 3 is widely criticized because of procedural misgivings; many states only support it with reservations.	Many states have not yet stated their position on R2P openly.
	Application of the norm		Selective application of the three pillars of the R2P by the Security Council	No consistent reaction to atrocities, but the R2P provides the normative framework more and more frequently.
	Change in institutions		Initial national and international institutionalization of pillars 1 and 2 (OSAPG, prevention initiatives & Focal Points)	Reform initiatives in connection with Pillar 3 (RwP, restriction of the veto) are receiving support, but not being implemented.

However, the norm encounters serious difficulties because a) the reactive component is seldom applied and b) some of the implementation initiatives mentioned are making just few or no references at all to the concept of R2P and are concentrating instead on atrocity prevention. If the concept of R2P should, as a result, vanish from the discourse, this would eventually weaken the norm set. Prevention is a key focus of R2P. However, the norm also encompasses the equally important aspect of a peaceful or, if required, coercive reaction to atrocities. If the third pillar does not gain more backing by states in the next years, R2P may decay as a norm.

What can and should be done?

Against this background, at the international level several avenues open up for further development of the responsibility to protect norm, including its third pillar: In the area of early warning and the concrete implementation of the prevention of atrocities, both the United Nations and the cooperating civil society actors should get more support from like-minded





member states. At the same time, primarily Western states most strongly advocating the protection regime should set a good example and institutionalize mechanisms aimed at reducing the danger of atrocities. In addition, the misgivings of many states of the South should be dealt with through institutional reforms. The “responsibility while protecting” idea proposed by Brazil offers a good starting point and could be translated into a proposal for reform of the working methods of the Security Council.

In order to facilitate deliberation, R2P should be officially added to the agenda of the General Assembly in order to initiate a dialogue between those in favor and those skeptical of the responsibility to protect. The goal of these efforts must be to establish an international consensus on the entire set of norms and thus also on the third pillar of R2P. If a consensus was emerging in the GA on R2P’s third pillar, this might push pressure on Russia and China or open up opportunities to reanimate the General Assembly’s **Uniting for Peace** framework in cases of mass atrocity crimes.

But to avoid discussing the issue of how to respond, including the use of military means, would contradict the core principle of the R2P, the right of the victims of the most serious violations of human rights to protection from such crimes.

This is a cross-post from the [ICRtoP-Blog](#). You can find the [original post here](#) as a part of the [#R2PatTen blog-series](#).

Über diese Anzeigen

 <p>...urity ...ying hide and seek with ...ork security. Stop playing hide and seek with your network</p>	 <p>This Is What Will Happen When You Eat Avocados</p>
 <p>20 Fantastic Tropical Beaches to Visit</p>	 <p>41 Hacks That Help People With ADD/ADHD</p>

by Gravity ▶

Bewerten:

★★★★☆ 3 Votes

Teilen mit:

- [Twitter](#)
- [Facebook](#)
- [E-Mail](#)
- [Google](#)
-

Lade...

Verwandt

[IB Online \(1/2\): Eine kleine Netzschau](#)
In "Links"

[IB Online \(3/9\): Eine kleine Netzschau](#)
In "Links"

[IB Online \(3/2\): Eine kleine Netzschau](#)
In "Links"

Tags: *Atrocity Prevention, international relations, Libya, norm contestation, Responsibility to protect, Syria*

Kommentar verfassen

Gib hier Deinen Kommentar ein ...

[Kurz & Knapp: Fachschaften gegen einen überstürzten Krieg](#)

Tagung: "Beyond the Master's Tools: Post- and Decolonial Approaches to Research Methodology and Methods in the Social Sciences"



Folgt uns per E-Mail:

Schließe dich 1.048 Followern an

SUCHE

LETZTE KOMMENTARE

- [Kommentar zu Myanmar before the elections: Transforming towards democracy?](#) von Felix Anderl 9. Dezember 2015
- [Kommentar zu Kurz & Knapp: Fachschaften gegen einen überstürzten Krieg](#) von Mr. X 6. Dezember 2015

TWITTER

- [Tagung: "Beyond the Master's Tools: Post- and Decolonial Approaches to Research Methodology and Methods in the..."](#)
[ibkommentar.wordpress.de/2015/12/17/tag...](#) | 4 days ago

- R2P might be faltering, but it is not yet fallen bretterblog.wordpress.com/2015/12/16/r2p... <https://t.co/BDnLt9sYT8> | 5 days ago

BLOGROLL

- A View From the Cave
- Aidnography
- ArmsControlWonk
- Chris Blattman
- Göttinger Institut für Demokratieforschung
- Inner City Press
- International Law Observer
- IR Blog (Berlin)
- ISN Blog ETH Zürich
- Jihadica
- Junge UN Forschung
- Junge Wissenschaft im öffentlichen Recht
- Justice in Conflict
- Kings of War
- menschenhandel heute
- Mobilizing Ideas
- Opinio Juris
- Political Violence @ a Glance
- Pundicity – Aymen Jawad Al-Tamimi
- Radikale Ansichten
- Sicherheitspolitik-Blog
- Stephen M. Walt
- Syria Comment
- The Disorder of Things
- The Duck of Minerva
- The Monkey Cage
- Theorieblog
- Theorieleben
- Theory Talks
- Thought Economics
- Völkerrechtsblog
- World Peace Foundation – Reinventing Peace
- zoon politikon

META

- [Registrieren](#)
- [Anmelden](#)
- [Beitragsfeed \(RSS\)](#)
- [Kommentare als RSS](#)
- [Erstelle eine kostenlose Website oder Blog – auf WordPress.com.](#)

[Erstelle eine kostenlose Website oder Blog – auf WordPress.com.](#)

Das Origin-Theme.

☺