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*Was the UN-mandated, NATO-led operation in Libya a step forward or a setback for the norm? What implications - positive and/or negative - does the Libya operation carry for RtoP moving forward?*

While it is tempting to think of norm development as a linear progression and to try to isolate where a specific crisis response or policy approach might move RtoP along a straightforward trajectory, this kind of two-dimensional frame is not well-suited to describing political behavior – especially over the long term.

NATO's Libya operation is simultaneously a step forward and a setback for RtoP as a developing norm. It is also a sidestep, a turn, a pause, and a potential leap – with the relative proportions of each of these movements depending heavily on what is yet to come.

Action always prompts reaction, both positive and negative. Security Council resolution 1973 revealed a level of RtoP internalization that even the most optimistic of norm watchers would not have dared assume of the Council. Had Gaddafi's explicit threats to go "house to house" to flush out his (then peaceful) opposition not evoked a true sense of international responsibility, inaction would have been a far more damaging indicator of the state of the norm than any action taken – whatever its form.

That said, Libya presented as a comparatively "simple" case of an internationally isolated tyrant seeking to break a population confined to a relatively narrow strip of land within easy access of the implementing alliance (NATO). Geopolitics and logistics suggested that an impact could be made with relatively little fallout – a factor in the Council's initial decision that should not be forgotten, particularly as the Arab Spring bundles up for winter.

NATO's eight-month operation has rightly reassessed these assumptions of simplicity, and raised murky and complex questions that had thus far been peripheral to standard RtoP discussion. The most prominent and immediate of these is clearly the relationship between civilian protection, impartiality, and regime change.



Security Council members who opposed recent attempts to formally condemn Syria cited many of these questions as the basis for their apprehensions, leading some to suggest that NATO's "mishandling" of the Libya mandate constitutes a serious setback for RtoP. Yet, the virtually concurrent willingness of the Council not only to pass resolutions, but to invoke RtoP language in post-1973 responses to Côte d'Ivoire, South Sudan, and Yemen, suggests the Syria stalemate is based on considerations rather far removed from RtoP imperatives, *as such*. This willingness also reveals a sharp distinction between concerns over RtoP as a principle and its modes of implementation.

Fears about creeping mandates, selectivity, and regime change have been sufficiently stoked by the way in which NATO implemented 1973, and many UN member states are unlikely to readily let go of what now feels like a validated reluctance to resort to coercive means. This is not to suggest, however, that the anxiety created by the Libya operation cannot be overcome.

In terms of long-term norm development, how the international community addresses these questions will likely prove much more important than the operation that raised them. If this moment is seized as one to proactively consider the Libya experience and debate means and methods in a way that builds consensus and refines understanding of RtoP practice and application, it has the potential to be mobilized as a significant leap forward for the concept. If these areas of contention are left unaddressed, they are likely to fester, becoming further entrenched and potentially debilitating for RtoP.

*What are the responsibilities of the international community as Libya transitions into the post-Gaddafi era? Despite the ending of the NATO mandate in Libya today, should the international community continue to play a role in civilian protection? If so, how should it discharge this responsibility?*

While the RtoP language outlined in the 2005 World Summit Outcome Document did not explicitly frame protection responsibilities – as ICISS had – in particular conflict phases (prevention, response and rebuilding), the responsibilities outlined are both continuous and concurrent. This implies that the international community's pillar 2 and 3 responsibilities extend beyond the NATO mandate in Libya, just as they extend to all situations that may threaten any of RtoP's four crimes.

Practically, this requires several roles of the international community in post-conflict Libya. First, the international community must engage Libya's new



authorities and elites (both national and local, official and unofficial) to prevent further retribution and resort to atrocities, whether for the purposes of vengeance, or to secure their individual or group status in the new, developing power structure. While diplomacy would be the likely focus of such efforts, they may require invoking other, potentially coercive, deterrents such as targeted sanctions.

Second, the international community must encourage accountability for atrocities – on both sides of the conflict – in accordance with the rule of law. This is important both for post-conflict reconciliation in Libya, and to better address the normative concerns raised by NATO’s direct alliance with rebel forces in the name of civilian protection. Should rebel atrocities be minimized rather than confronted, significant damage could be done to the basic logic that drives the RtoP framework.

Finally, the international community must support Libya (assisting directly where appropriate) to structure a state and develop governance approaches that minimize both current and future atrocity risk. Libya now seeks to consolidate a state in which obedience to a single figure was long prioritized over national cohesion. Much care must be given to how the interests and experiences of different communities are addressed, and the international community has a significant role to play in fostering the development of a stable and inclusive Libyan state that inspires public confidence and can effectively mediate the concerns of all.

*Through an RtoP lens, what lessons can be learned from Libya for future cases where international action - whether non-coercive or coercive - is necessary to protect civilians?*

Libya will eventually teach us much about the efficacy (or inefficacy) of specific policy approaches to prevent atrocities, both in terms of direct civilian protection and post-conflict reconstruction.

More immediately, Libya points to a key lesson regarding the challenge, and the *imperative*, of precise messaging when acting on RtoP motives. When making policy statements, proponents and implementers of the NATO operation faced several different audiences, each of which may have justifiably required a different set of messages. Gaddafi was clearly a target, as were potential state and non-state enablers, the rebel TNC, operation allies and skeptics, as well as the broader international community.

It is highly difficult to make strong statements that maneuver effectively between these different audiences, communicating a message that might sway perpetrators



without playing upon the concerns of skeptics and/or damaging normative progress for the principles that underpin protection efforts (i.e. RtoP).

In spite of these challenges, RtoP policymakers, implementers, and advocates need to better understand the complex implications of the messages they send. NATO's adoption of regime change as a policy objective, for example, demanded clearer, more deliberate and far more nuanced messaging.

There is nothing in the RtoP framework that suggests regime change falls naturally or implicitly within its protection rubric. To the contrary, RtoP is highly conscious of its narrow protection objectives, as well as the legal parameters through which those objectives must be pursued. That said, when an individual presents a fundamental and continuing source of threat with no prospect of being deterred, separating that individual from authority may be the only way to ensure protection. Nothing in the RtoP framework explicitly forbids doing so, should it be necessary to the doctrine's defined protection objectives and approached in full accordance with the UN Charter. Given the understandable discomfort this rather fuzzy state of affairs creates for Member States, the issue demands serious scrutiny and debate as RtoP moves forward.

In the interim, should RtoP actors consider controversial means such as regime change necessary to protection objectives, they must – at the very least – be extremely clear in expressing their motivations, logic, and parameters. Precise messaging is critical not only to the immediate politics of ensuring continued multilateral buy-in, but also to long-term norm development. RtoP responses are intended to be nuanced rather than universal. Whatever opinions may have surfaced among UN member states regarding the suitability of regime change in this case, clearer messaging on the logic and intentions behind the specific application would have better guarded against destructive assertions equating RtoP with regime change more broadly.

As RtoP implementation moves forward, mistakes are inevitable and adjustments imperative. In the course of this learning process, a sharp distinction must always be made between principles and methods. Conflating the two without open reflection, discussion, and debate poses the greatest long-term threat to RtoP as both a norm and policy doctrine.