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**I. Sixty-Sixth Session of United Nations General Assembly Opens**     *The 66<sup>th</sup> Session of the General Assembly opened this week with a General Debate among Heads of State and Government to take place from 21-27 September. The theme of this year's meeting is "The role of mediation in the settlement of disputes by peaceful means". Many Member States will also participate in other important events, such as the UN High-Level Meetings on Libya, Conflict Prevention, Counter-terrorism, and Nuclear Safety and Security.*

*In early August, ICRtoP and the Global Centre for the Responsibility to Protect (GCR2P) sent a letter to Member States to request that they include their support for implementing the Responsibility to Protect in their remarks. The GCR2P also sent an [open letter](#) in September citing the successful responses of the international community in Guinea, Libya, and Cote D'Ivoire as well as the appointment of national focal points on RtoP in several capitals and the establishment of the UN Joint Office of the Special Advisors on the Prevention of Genocide and RtoP.*

*On the opening of the GA on 21 September 2011, Secretary-General Ban Ki-moon highlighted 'prevention' as a great opportunity for the General Assembly during his [remarks](#)*

*Citing successful prevention in the face of possible atrocity crimes in Guinea, Kenya, and Kyrgyzstan, the Secretary-General reminded the GA, "To prevent violations of human rights, we must work for the rule of law and stand against impunity. We have carved out a new dimension for the Responsibility to Protect."*

*ICRtoP is monitoring the GA General Debate from 21-27 September, and will compile statements referring to the Responsibility to Protect.*

## **II. Syria: government violence against civilians continues as Arab League increases oversight**

*On 15 September, the Syrian opposition movement marked [six months](#) since widespread protests began in the country. Syrian government forces have continued to crack down on protestors in northwest Syria, apparently targeting civilians with machine guns in at least [ten](#)*

villages. According to the OHCHR, as of 19 September, over 2,700 people had been [killed](#) by government security forces. Amnesty International continues to report the arrest and [detention](#) of political activists.

The [League of Arab States](#) Secretary-General Nabil al-Arabi met with Syrian President Assad on 10 September and urged him to stop all violent attacks on civilians, apparently reaching an agreement for the implementation of reforms. Following a [meeting](#) in Cairo on 13 September, the League condemned the killing of civilians and urged Syrian authorities to take steps to uphold its commitment to reforms. Also on 13 September, the International Federation for Human Rights sent a [letter](#) to the League lauding its call for Syrian authorities to end the violence, release political prisoners and provide compensation for victims. The letter called for the rapid implementation of a monitoring and reporting mechanism, expressing concerns that the League's benchmarks for ceasefire and reforms lacked clarity. The European Union Institute for Strategic Studies called on the [BRIC countries](#) to help enact the Responsibility to Protect and contribute to ending the crisis in Syria.

Earlier, on 12 September, the [UN Human Rights Council](#) announced the appointment of three experts to carry out the commission of inquiry in Syria recommended in a recent [report](#) by the Office of the High Commissioner for Human Rights. The experts are tasked with [investigating](#) the human rights violations and government abuses against civilians, identifying the circumstances that led to the horrific violence and promoting accountability of perpetrators.

Meanwhile, Syrian opposition groups chose 140 people to be on a [national council](#), which will aim to coordinate opposition policies against Syrian leadership. This Syrian National Council convened its inaugural meeting on 15 September.

## 1. U.N Security Council Fiddles While Syria Burns

Thalif Deen

Inter Press Service

16 September 2011

(...) Don Kraus, chief executive officer of Citizens for Global Solutions, which has been closely monitoring the crisis in Syria, told IPS, "International cooperation is essential to resolve global challenges, building a safer, more secure world."

He said U.S. and other Security Council members should push a resolution with tough sanctions on the Assad regime.

Even if Russia or China chooses to veto this motion, he said, a strong majority vote by other Security Council members will send a clear message to President Assad and his cronies that they will inevitably face consequences for their actions.

While there is room for the Security Council to evaluate lessons learned from how the North Atlantic Treaty Organisation (NATO) implemented the

**Responsibility to Protect**

in Libya, punishing unarmed protestors and innocent civilians in Syria is not an appropriate way for member states to address concerns, said Kraus.

"A vetoed resolution will allow member states to shame Russia, China, or any other permanent Security Council member that uses its veto privilege to protect perpetrators of mass atrocities," he said.

By doing so, he noted, they become just as guilty as those who pull the trigger.

Kraus also said that Security Council members have a choice. "Either they stop using the veto in situations dealing with mass atrocities, or they can maintain their status as controlling members of a body that will become increasingly irrelevant," he declared.

Meanwhile the NGO coalition, including international human rights organisations such as Human Rights Watch, AVAAZ and the International Federation for Human Rights (FIDH), along with national organisations from Egypt, Algeria, Libya, Qatar, Morocco, Yemen, Saudi Arabia and Syria, calls on the League of Arab States (LAS) to bring an end to the ongoing basic human rights violations in Syria.

Read the  
[full article](#)

## 2. Syria: The BRICs must help enact the Responsibility to Protect

### Álvaro de Vasconcelos

European Union Institute for Strategic Studies

14 September 2011

*The BRIC countries are comprised are of Brazil, Russia, India and China.*

The brutal repression unleashed by Bashar al-Assad's regime against the peaceful demonstrators in Syria has reached levels that can no longer be tolerated by the international community. The violent crackdown, including the torture and murder of arrested citizens, clearly amounts to a crime against humanity. It is imperative that the international community acts before it is too late. The principle of the

#### **Responsibility to Protect**

should be immediately invoked. It is worth remembering that the principle approved by the General Assembly of the UN states that 'each individual State has the

#### **responsibility to protect**

its populations from genocide, war crimes, ethnic cleansing and crimes against humanity.'

Syria is of course responsible first and foremost for the application of this principle. However, as it has consistently refused to exercise this responsibility, or any kind of restraint, it is now up to the members of the Security Council not only to condemn the repression in the strongest terms but also to take 'timely and decisive' proactive action to stop Assad from killing his own citizens. This is the responsibility not only of the US and of European countries but of the other permanent members of the Security Council, Russia and China, and also of non-permanent members like Brazil or India.

The BRICs should care about Syria and bear their share of responsibility. No state can aspire to great power status without acknowledging the importance of the Middle East on the international foreign policy agenda. (...)

In Russia, politicians are playing the nationalist card with a view to the upcoming presidential elections and want to show their opposition to Western 'activism'. In India it is difficult to find

support for the intervention in Libya, apart from in some intellectual circles. In China a debate is taking place between those who believe that China should support the revolution that has swept the Arab world and those who negatively view the wave of uprisings as 'turmoil' and fear its potential contagion effects in China itself. In Brazil, the dilemma is how to balance concerns about military action beyond peacekeeping with Brazil's new responsibilities as a global player anxious to be seen as a beacon of democracy and supporter of human rights. In this context, implementing the

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has been recognised as a fundamental component of the protection of human rights, as affirmed by the Brazilian Foreign Minister Antônio Patriota in a recent article.

It is clear that the BRICs are not prepared to support another resolution that would allow for recourse to 'all necessary means ... to protect civilians and civilian populated areas under threat of attack', as happened in the case of Libya. But this is not currently being proposed by anyone considering that the circumstances on the ground are different in each of the two cases. What is necessary is to cease all cooperation with Assad, isolate him, show that he has lost all international support and approve a UN Security Council Resolution to impose international sanctions on his regime.

Many demonstrators in Syria are preparing to arm themselves to protect their lives. They feel inspired by the revolution in Libya. If they do take up arms the human consequences may be extremely serious as the regime is clearly prepared to resort to mass murder to remain in power. It is also difficult to predict what will be the regional impact of a civil war in Syria that is likely to see a split between the special forces loyal to the Assad regime and sections of the marginalised regular army. It is clearly in the interest of the international community that a peaceful solution is found, but for this the killing of civilians must stop. The BRICs have an enormous responsibility to help ensure that this happens.

**Read full**  
[article](#)

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### **3. Silence is not an option! Syrians cannot afford to wait!**

International Federation for Human Rights (FIDH)

13 September 2011

*In a letter addressed to the League of Arab States Secretary General Nabil al-Arabi, 176 local and international civil society organizations working in the Middle East commend the League for its initiatives to install reforms in Syria and call for Syrian President Assad's forces to cease the*

*violent attacks against civilians. The letter further calls for the League to put a monitoring and reporting mechanism in place to enforce benchmarks.*

We, the undersigned representatives of (176) local and international civil society organisations working in the Arab world, welcome the League of Arab States' (LAS) efforts to find a solution to the human rights crisis in Syria.

We commend the League for including in its thirteen points plan a clear demand for the cessation of violence, the release of all political prisoners and compensation for victims of the crackdown.

While the LAS initiative is commendable, we are concerned that it lacks guarantees and benchmarks to ensure its successful implementation. In order to ensure the principles set forth in the LAS plan are fully respected by the Syrian authorities, clear and publicly established criteria based on international standards are necessary. An effective mechanism of monitoring and reporting to ensure the cessation of violence as well as the implementation of reforms on the ground should be an integral part of the Arab League's initiative.

In addition, an effective Arab approach cannot avoid the principle of accountability for the serious human rights violations the regime has and is committing at the moment. Thus in any meeting with President Assad, we urge the Secretary General to reiterate that Syria should grant access to the Commission of Inquiry mandated by the UN Human Rights Council to investigate human rights violations in Syria.

We hope that the Government of Syria will respond to the LAS initiative. In case the Syrian authorities refuse to cooperate and to commit massive human rights abuses, we urge the League to support sanctions against Syria and its rulers, including through the UN Security Council. (...)

Citizens of the Arab world share the desire to see an end to the bloodshed in Syria and to see the Arab League act as the leading regional organization to protect and uphold the common values of the Arab world at this critical and historical moment. We trust the League will now play a more active and instrumental role in ending these grave human rights violations against the Syrian population. **Read the full [letter](#).**

### **III. Libya: NTC held accountable for civilian protection, Security Council considers UN support in post-conflict Libya**

***Security Council adopts Resolution guiding UN role in post-conflict Libya*** On 16 September the Council

[\*adopted\*](#)

*a Resolution, following a series of meetings on Libya, establishing the UN Support Mission in Libya (UNSMIL) to be headed by Special Representative on Post-Conflict Planning in Libya*

[\*Ian Martin\*](#)

*for an initial period of three months. In-country*

[\*engagement\*](#)

*aims to restore peace and security and the rule of law, promote national reconciliation and transitional justice and help the NTC draft a constitution and plan elections. The Resolution also*

[lifts economic sanctions](#)

*in order to fund humanitarian programs and cover fuel and electric expenses, modifies the arms embargo, and unfreezes Libyan assets. The Council voted to maintain the no-fly zone with little modification until further review, though South Africa and Russia urged its termination.*

**UN General Assembly and African Union recognize NTC as legal governing body of Libya**

Also on 16 September, the

[General Assembly](#)

voted 114 to 17 to allow the NTC to take Libya's seat at the GA. On 20 September, the

[African Union](#)

followed suit, and recognized the NTC as the official representative of the Libyan people. The same day, Secretary-General Ban Ki-moon hosted a High-Level

[meeting](#)

on Libya where President of the NTC Mustafa Abdel Jalil and over fifty Heads of State spoke in support of Libya's transition and elaborated on the challenges ahead.

**Civil society reports abuse of foreign migrants by anti-Gaddafi forces**

Meanwhile, concerns over the arbitrary arrest and detention of black migrants in Libya by anti-Gaddafi forces

[continue](#)

, and African and international human rights organizations have called for a stop to the violence as well as compensation for the victims. On 19 September, both

[the International Federation for Human Rights](#)

and

[Human Rights Watch](#)

called on the NTC to respond to reports of abuses of foreign migrants and sexual violence committed during the Libyan armed conflict. Earlier, on 13 September, the Nigerian-based organization Social Economic Rights and Accountability Project filed a

[complaint](#)

with the African Commission on Human and Peoples' Rights, claiming that anti-Gaddafi forces targeted Nigerians suspected of pro-government mercenary work during the Libyan conflict. The same day, Amnesty International published reports asserting possible atrocity crimes perpetrated by opposition forces upon suspected Gaddafi loyalists and urging the NTC to uphold their stated commitments to democracy and human rights.

**1. Has R2P Worked in Libya?**

Ramesh Thakur

The Canberra Times

19 September 2011

The

**'responsibility to protect'**

tries to strike a balance between unilateral interference and indifference

The United Nations was neither designed nor expected to be a pacifist organisation. Its origins lie in the anti-Nazi wartime military alliance among Britain, the United States and the Soviet Union. The all-powerful UN Security Council is the world's duly- and only- sworn-in sheriff for enforcing international law and order. (...)

Increasingly, the principal victims of both types of violence were civilians, and the goals of promoting human rights and democratic governance, protecting civilian victims of humanitarian atrocities and punishing governmental perpetrators of mass crimes became more important.

The

**responsibility to protect**

(R2P), first articulated by the International Commission on Intervention and State Sovereignty in 2001 and endorsed unanimously by world leaders in 2005, spoke eloquently to the need to change the UN's normative framework in line with the changed reality of threats and victims.

**R2P**

attempts to strike a balance between unilateral interference and institutionalised indifference. It was designed to help the world to be better prepared- normatively, organisationally and operationally- to meet the recurrent challenge of military intervention when atrocities are committed and something can be done by outsiders to save strangers at acceptable costs and risks: institutionalised non-indifference, if you will.

**R2P**

's preventive and rebuilding pillars involve strengthening a state's capacity to handle its own law and order problems. The world's comfort level is much greater with action under Pillar One (building state capacity) and Pillar Two (international assistance to build state capacity) than Pillar Three (international military intervention). But, to be meaningful, the

**R2P**

spectrum of action must include military force as the sharp-edge option of last resort. By its very nature, including unpredictability, unintended consequences and the risk to innocent civilians caught in the crossfire, warfare is inherently brutal: there is nothing humanitarian about the means. Still, under contemporary conditions the fundamental question cannot be avoided: under what circumstances is the use of force necessary, justified and required to provide effective international humanitarian protection to at-risk populations without the consent of their

own government? Without

**R2P**

, the intervention is more likely to be ad hoc, unilateral, self-interested and deeply divisive.

That was a key difference between Kosovo in 1999, Iraq in 2003 and Libya this year. In the Balkans, it took NATO almost the full decade to intervene with air power. In Libya, it took one month to mobilise a broad coalition, secure a UN mandate, establish and enforce no-fly and no-drive zones, stop Muammar Gaddafi's advancing army and prevent a massacre of the innocents in Benghazi. (...) The decisive factor for many was the highly credible threat to hunt down opponents alley by alley, house by house, room by room, with no mercy or pity.

The jury is still out on whether international military action in Libya will promote consolidation or softening of the

**R2P**

norm. The Libyan people's euphoria and NATO's relief over the successful military campaign to remove Gaddafi is likely to temper criticisms of the manner in which NATO rode roughshod over UN authorisation to protect civilians. (...)

That said, we should not be naive about what may be required in particular circumstances. Already in 2003, as Commissioner for the International Commission on Intervention and State Sovereignty, I wrote that "If defeat of a non-compliant state or regime is the only way to achieve the human protection goals, then so be it." In Libya, the West's strategic interests coincided with UN values. This does not mean that the latter was subordinated to the former. (...)

The outcome is a triumph first and foremost for the citizen soldiers who refused to let fear of Gaddafi determine their destiny any longer. It is a triumph secondly for

**R2P**

. NATO military muscle deployed on behalf of UN political will helped to level the killing field between citizens and a tyrant. It is possible for the international community, working through the authenticated, UN-centered structures and procedures of organised multilateralism, to deploy international force to neutralise the military might of a thug and intervene between him and his victims with reduced civilian casualties and little risk of military casualties.

But the ruins of Libya's political infrastructure and parlous state of its coffers mean that the third component of R2P - the international responsibility to rebuild - will also come into play. (...) The willingness, nature and duration of outside help will also help to shape the judgment of history on whether Western motivations were primarily self-interested geopolitical and commercial, or the disinterested desire to protect civilians from being killed.

As with the war itself, however, the lead role will have to be assumed by Libyans themselves,

while the international community can assist without assuming ownership of the process or responsibility for the outcome.

**Read the**  
[full article#160;](#)

## **2. Open Letter to Mr. Mahmoud Jibril, Prime Minister of the National Transitional Council of Libya**

International Federation for Human Rights (FIDH)

19 September 2011

*FIDH addressed the following letter to Prime Minister of the NTC Mr. Mahmoud Jibril.*

(...) We are writing to express our deep concern about continued violations and racist attacks against people of Sub-Saharan origin in Libya. We call upon the National Transitional Council to issue an urgent statement, condemning these grave crimes and calling for their immediate cessation, and to take all necessary measures to protect this vulnerable population. We call upon you to signal a break with the racist and xenophobic policies of Gaddafi's regime and the beginning of a regime based on respect for human rights and non-discrimination.

In May 2011, FIDH wrote to you to draw the Council's attention to evidence of widespread violence against migrants of Sub-Saharan origin, in areas of Eastern Libya under the control of the Interim National Council, documented in the FIDH report,  
[Exiles from Libya flee to Egypt: Double tragedy for Sub-Saharan Africans](#)

The types of violation documented by FIDH in its report, including extra-judicial killings, beatings, rapes and other forms of cruel and inhuman treatment, have been confirmed by the United Nations International Commission of Inquiry, the High Commissioner for Human Rights, as well as by other international NGO and numerous media reports.

We acknowledge the response of the National Transitional Council to the transmission of the FIDH report and the recommendations therein and we welcome your undertaking to pursue perpetrators of such violations in accordance with international law and to cooperate fully with international bodies, including the International Criminal Court, in this regard. We also acknowledge the references in the draft constitution to the protection of human rights.

However, recent events have exacerbated our concerns. Since the end of August, in Tripoli, there have been widespread reports of killings, arbitrary arrests and detention, torture and cruel and inhuman treatment of black Africans, falsely accused of being mercenaries.

Such acts represent grave violations of international human rights and humanitarian law, under conventions ratified by Libya including the International Covenant on Civil and Political Rights, the Convention on the Elimination of all forms of Racial Discrimination, the Convention on the Protection of the Rights of all Migrant Workers and members of their families and the Geneva Conventions, in particular the Second Additional Protocol. Such crimes may also amount to crimes against humanity or war crimes and as such fall within the jurisdiction of the International Criminal Court (ICC).

**Read the**  
[full letter](#)

### **3. The Battle for Libya: Killings, Disappearances and Torture**

Amnesty International

13 September 2011

(...) In the unrest and ongoing armed conflict, al-Gaddafi forces committed serious violations of international humanitarian law (IHL), including war crimes, and gross human rights violations, which point to the commission of crimes against humanity. They deliberately killed and injured scores of unarmed protesters, subjected perceived opponents and critics to enforced disappearance and torture and other ill-treatment; and arbitrarily detained scores of civilians. They launched indiscriminate attacks and attacks targeting civilians in their efforts to regain control of Misratah and territory in the east. They launched artillery, mortar and rocket attacks against residential areas. They used inherently indiscriminate weapons such as anti-personnel mines and cluster bombs, including in residential areas. They killed and injured civilians not involved in the fighting. They extra-judiciously executed people who had been captured and restrained. They concealed tanks and heavy military equipment in residential buildings, in a deliberate attempt to shield them from possible air strikes by the North Atlantic Treaty Organization (NATO) forces.

The siege by al-Gaddafi forces of opposition-held territory, notably Misratah but also areas such as Zintan in the Nafusa Mountain, aggravated humanitarian crises there as residents were living without or with only limited access to water, electricity, fuel, medicine and essential foodstuffs. As al-Gaddafi forces shelled opposition-held areas, civilians had nowhere safe to hide. (...)

Members and supporters of the opposition, loosely structured under the leadership of the National Transitional Council (NTC), based throughout the conflict in Benghazi, have also committed human rights abuses, in some cases amounting to war crimes, albeit on a smaller scale. In the immediate aftermath of taking control in eastern Libya, angry groups of supporters of the "17 February Revolution" shot, hanged and otherwise killed through lynching dozens of captured soldiers and suspected foreign "mercenaries"- and did so with total impunity. Such attacks subsequently decreased, although Sub-Saharan African nationals continued to be attacked on what have been proved to be largely unfounded suspicions that they were foreign "mercenaries" hired by Colonel al-Gaddafi.

Opposition supporters targeted suspected al-Gaddafi loyalists and former members of some of the most repressive security forces. Between April and early July, for example, more than a dozen such individuals were unlawfully killed in the Benghazi and Derna (including at least three members of the ISA in Benghazi). They also tortured and ill-treated captured soldiers, suspected "mercenaries" and other alleged al-Gaddafi loyalists. (...)

It is crucial that impartial and thorough investigations are carried out into all allegations of serious human rights violations and violations of IHL. Wherever there is sufficient admissible evidence, suspected perpetrators should be prosecuted in proceedings that fully respect international fair trial standards and with no imposition of the death penalty. (...)

In order to build a new Libya on the basis of respect of human rights and the rule of law, all suspected perpetrators must be brought to justice, regardless of their rank or affiliation- both supporters and opponents of Colonel al-Gaddafi. Those who have been found to be responsible for abuses must not be allowed to hold position from which they can again violate human rights. Furthermore, comprehensive legal and institutional reforms must be introduced to ensure respect for all human rights in law and in practice. Such reforms must enshrine safeguards against human rights violations, such as arbitrary detention, torture and enforced disappearances. They must also put in place mechanisms to ensure independent, non-partisan oversight and accountability of the security forces.

To combat the legacy of four decades of human rights violations and abuse of power, guarantees must be introduced to build an independent judiciary that ensures that no one is above the law and that no one is beyond its protection. Only then will Libyans be able to regain trust in national institutions and believe that the page has truly been turned on more than four decades of repression and abuse.

## **Read**

**[Battle for Libya: Killings, Disappearances and Torture](#)**

in full

,

and

[Libya: Human Rights Agenda for Change](#)

in full

.

#### 4. NATO Watch: How Good is NATO after Libya?

Dr. Ian Davis

NATO Watch

8 September 2011

(...) NATO's reputation only a few weeks ago was less than stellar. As the intervention in Libya dragged on, from "days and weeks" to months, criticism of the mission grew on all sides. Many Western liberals and peace activists, as well as political leaders in powerful non-NATO states, such as Russia, China and India, charged that this was yet another US-led coalition fighting a third war without proper authority and for doubtful ends (it was all about securing preferential access to Libya's vast oil reserves according to some detractors). Meanwhile, mainly US conservative critics censured NATO (and especially European NATO) for doing it too slowly and with inadequate resources. Others, including this author, who initially supported the intervention under the principle of

#### **Responsibility to Protect (R2P)**

, grew more restless as the 'protection of civilians' morphed into 'regime change.' (...)

*What were the motives for the intervention?*

(...)

#### **R2P**

intervention is only justified, however, when demanding conditions are met and continue to be met. The intervention in Libya, unlike Iraq in 2003 (and in many ways, Afghanistan over the past decade), was prosecuted, initially at least, in a legal way. It was demanded by the people being attacked, it included the support of (large parts) of the Arab League and was authorised by UNSC resolution 1973. Similarly, while the motives for the 'early' French ground attacks were mixed at best, the risk of a large-scale massacre of civilians in Benghazi was real enough.

To those that argued, why Libya and not Syria, in the latter there was (and remains) no prospect of UN authorisation or multilateral agreement for military intervention, although some of the other non-military mechanisms in the

## **R2P**

toolbox could and are being applied. (...)

*Did the intervention go beyond the UN mandate?*

(...) On the one hand, critics argue that what started out as an action that initially observed the key norms of international law and multilateral consultation, quickly reverted to type when the focus shifted to regime change. NATO, on the other hand, has consistently argued that its actions fell and continue to fall within the UN mandate. (...)

The NATO mission is meant to protect the civilian population and there is certainly room for debate about what this actually means. NATO and some Western leaders drew the conclusion that only the removal of Gaddafi would provide real and lasting security to the civilian population. (...)

The rolling-back of Gaddafi's forces has been seen by many, both within but especially outside of NATO, as violating the spirit if not the word of the UNSC resolution. The threat to Benghazi was the principal basis on which UN and Arab league support was obtained for a no-fly zone. That threat was averted within days and no further resolution was gained for NATO to support a rebel advance on Tripoli. Once Gaddafi's heavy weapons had been stopped the Libyan people could have been left to struggle it out themselves (which might have prolonged the conflict and led to even more casualties). If no party had prevailed the option of a negotiated political settlement brokered by the African Union may have become more attractive. (...)

The end may in time be seen to justify the means — but in the short to medium term the criticism from China, Russia, India and others, makes it less likely that a similar

## **R2P**

intervention would gain international backing any time soon (as discussed further below). (...)

*How useful a template is Libya for future*

## **R2P**

*missions?*

Undoubtedly, the best way to overthrow dictators is through the people of the affected countries themselves doing so through the power of mass strategic nonviolent action—as demonstrated in Egypt, Tunisia, Serbia, Chile, the Philippines, Indonesia, Poland and many other countries. But when dictators refuse to go peacefully and threaten the lives of their citizens,

## **R2P**

is meant to provide a lifeline. Most of the tools in the

## R2P

toolbox are diplomatic, economic and humanitarian, with more coercive measures authorised by the Security Council as a last resort.

In the case of Libya, a range of these non-military measures were adopted with unprecedented speed and decisiveness through the Human Rights Council, General Assembly, Security Council, Arab League, African Union and Gulf Cooperation Council. But it was not enough to deter Gaddafi.

In some respects, the Libyan intervention has strengthened the proponents of the UN's

## R2P

doctrine. Nothing succeeds quite like success. And as in Kosovo, East Timor and Sierra Leone, humanitarian interventionism can at least point to a relatively successful outcome. As such, the spectre of Iraq for

## R2P

interventionists may not be banished but is no longer the haunting presence it once was. (...)

R2P is neither discredited nor fully validated by the Libyan mission. It remains work in progress, and it is hoped that the lessons from the Libyan intervention may help develop a more coherent and comprehensive approach. To this end, NATO should set up an independent review of its Libyan operation, publish the findings and establish an R2P Committee to implement them. Such a Committee could also analyse threats of genocide and mass atrocities; develop military guidance on genocide prevention and response; and incorporate guidelines into alliance doctrine and training. NATO could also provide capacity-building assistance to international partners who are willing to take measures to prevent genocide and mass atrocities. In short, NATO could adopt R2P as an actionable norm and seek to close the gap between R2P rhetoric and reality. (...)

## Read the full

[article](#)

**IV. Yemen: Government security forces target protestors**     *On 13 September, the OHCHR [released](#) the assessment of the delegation sent to Yemen in late June to investigate reports of widespread violence following peaceful, anti-government protests. The [Report](#) called for immediate action to protect civilians, including international, impartial investigations, and cited "excessive and disproportionate use of lethal force by the state" in response to peaceful protests. Soon after, on 19 September, the UN Human Rights Council held an interactive dialogue to address the [crisis](#)*

The situation in Yemen deteriorated quickly when government forces targeted protestors in a three-day campaign of heavy fire beginning on 18 September. At least 28 people were [killed](#) and more than 100 were wounded by government security forces and sniper fire in Sana'a. UN Secretary-General Ban Ki-moon issued a [statement](#) the same day expressing his deep concern for the ongoing crisis, and called upon authorities to uphold their obligations under international law to protect civilians. Though a [ceasefire](#) was negotiated on 20 September by Western diplomats and Yemeni vice president Abed Rabbo Mansour Haddi, the government resumed firing mortars at protestors in the capital less than 24 hours later. Protests also erupted in the southern city of Taiz and were met with tear gas and water cannons.

Civilian protestors have been [joined](#) and protected by supporters of General Sadeq al-Ahmar, leader of the Hashed tribal confederation and commander of fighters who took over government facilities in May's Battle of Sana'a. General al-Ahmar's forces have since clashed violently with Yemeni President Saleh's forces.

Human Rights Watch reports that his upsurge of violent attacks may have sparked from [negotiations](#) brokered by the Gulf Cooperation Council under which President Saleh, who left the country in June, would resign in exchange for impunity.

Since February 2011, soon after the initial anti-government protests began, Amnesty International [reports](#) that approximately 200 people have been killed and more than a thousand have been injured in protests across the country, due to excessive military force upon peaceful demonstrators. Government authorities have been investigating some killings and have offered compensation for the most deadly incident, a 15 March attack on a Sana'a protest camp that reportedly killed more than 50 people.

## **1. Yemen: Protester Killings Show Perils of Impunity Deal**

Human Rights Watch

20 September 2011

Yemeni security forces used excessive force when they opened fire on anti-government protesters in Sanaa on September 18, 2011, and in Taizz on September 19, killing at least 27 and wounding hundreds, Human Rights Watch said today. Witnesses told Human Rights Watch that security forces in Sanaa first sprayed demonstrators with sewage, and then, after protesters responded by throwing rocks, fired directly on them without warning, using rocket-propelled grenades as well as assault rifles and heavy machine guns.

The attacks began six days after President Ali Abdullah Saleh authorized his vice president to resume negotiations on a Gulf Cooperation Council-brokered accord, backed by the United States and the European Union, under which the president would resign in exchange for immunity from prosecution for any crime. (...)

“These latest killings by Yemeni security forces show exactly why there should be no get-out-of-jail-free card for those responsible,” said [Joe Stork](#), deputy Middle East director at Human Rights Watch. “The Gulf Cooperation Council and other governments involved in negotiating President Saleh’s exit cannot grant immunity for international crimes.”

Human Rights Watch said the attacks were clearly disproportionate to any threat to the lives of security personnel or others from protesters throwing rocks. Witnesses said the security forces carried shields and wore protective gear including helmets, and that protesters were not carrying, let alone using, firearms. (...)

Yemen has objected to proposals that the High Commissioner establish an office in Sanaa. The recent attacks again demonstrated the urgency of the human rights situation in Yemen and the need for such a presence, Human Rights Watch said. The Netherlands is expected to put forward a resolution on Yemen at the Council at the end of this week. (...)

Systematic or widespread unlawful killings, carried out as a state policy, constitute crimes against humanity. International law rejects impunity for serious human rights crimes, such as crimes against humanity, Human Rights Watch said. International treaties require states parties to ensure that alleged perpetrators of serious crimes are prosecuted, including those who give the orders for these crimes, or are in a position of authority and fail to prevent the crimes. (...)

In addition to ensuring there is no immunity for international crimes, Human Rights Watch said, foreign governments should freeze the assets of Saleh and top security officials, and formally suspend all security aid and weapons sales to Yemen until authorities stop these attacks, conduct impartial investigations into those responsible, and hold them to account. Foreign governments also should call on the UN Security Council to urgently address the Yemen crisis, as well as support the push for a human rights monitoring office in Yemen.

“This week’s events at the UN General Assembly shouldn’t distract from the human tragedy unfolding in Yemen,” said Stork. “The UN Security Council call on August 9 for maximum restraint in Yemen has been ignored, so now it should act to ensure Saleh’s government ends

these abuses.” (...) Read the full [press release](#) . **2. Yemen violence surges as protesters are killed**  
Amnesty International  
September 2011

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The Yemeni authorities must immediately stop the killing of peaceful protesters by security forces, Amnesty International said today following reports that dozens of people have been shot dead in the capital Sana'a since Sunday.

Hundreds more are said to have been injured after security forces used snipers and rocket-propelled grenades (RPGs) against protesters marching to demand the resignation of President Ali Abdullah Saleh.

Around 26 people were killed on Sunday. The continuing violence has seen more killed in Sana'a today.

The situation is also worsening in the southern city of Ta'izz after security forces opened fire on protesters marching in solidarity with those killed in Sana'a.

"Yemen is on a knife edge. Those who have been protesting peacefully for change are increasingly frustrated by the political deadlock," said Philip Luther, Amnesty International's Deputy Director for the Middle East and North Africa.

"Meanwhile, eruptions of violence point to a growing risk of civil war. The Yemeni authorities must stop the use of excessive force before the violence spirals out of control."

Since February 2011 some 200 people have been killed and more than a thousand have been injured in protests across Yemen as security forces have repeatedly used excessive force, including by firing live ammunition at peacefully gathered protesters.

The Yemeni authorities have launched investigations into some of the killings. They have offered compensation to victims of the most serious incident of violence, an attack on a protest camp in Sana'a on 18 March that reportedly left more than 50 people dead.(...)

Amnesty International called on the United Nations Human Rights Council, which is debating

the situation in Yemen in Geneva today, to urge the Yemeni authorities to order the security forces to immediately cease their use of live ammunition against peaceful protesters.

The organization called for an independent, impartial and thorough commission of inquiry to be set up with international assistance to investigate the killings and injury of protesters and others.

It also called for the immediate suspension of supplies of weapons and munitions that could be used for excessive force in the policing of protests.(...)

"It must be made clear to the Yemeni authorities that protesters should not be targeted for exercising their rights. The abuses being committed by Yemeni forces are totally unacceptable and must cease. And those responsible for human rights abuses must be held accountable."

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