

The Responsibility to Protect Hangs in the Balance The Brookings Institution February 25, 2014

The following is an excerpt from the Brookings Institute's most recent policy paper, 'The State of the International Order'. The full article can be found [here](#), beginning on page 27. □

One of the most important developments in the evolution of the international order since 2008 has been with respect to the Responsibility to Protect (R2P), which was approved by world leaders at the United Nations in 2005... R2P is now eight years old. Understandably and justifiably, much of the public focus around it is on the failure of the international community to prevent or stop horrific mass killings in Syria. By some estimates, over 100,000 people have died, and millions have been forced from their homes, and there is no end in sight. The United Nations is deadlocked on whether and how to intervene, although even if it were not it is unlikely that the United States or a combination of states would undertake action with a reasonable prospect of ending the killing.

[...] It is also necessary to place the question of intervention in a broader context. There have been successes and failures on R2P in recent times. There are also a number of outstanding questions, which stem more from the successes than the failures. Let's start with a look at the balance sheet. In addition to Syria, the international community has been slow to react to mounting risks and casualties in the Central African Republic, and efforts in Sudan have fallen short of what is required.

However, there are also some success. While the third pillar of R2P attracts most of the press attention, the first two pillars are at least as important. Effective diplomacy helped create the conditions necessary to avoid violence following the disputed 2013 Kenyan elections, such as what had hit that country in 2007. The international community mobilized to stop killing and displacement of civilians in Cote d'Ivoire by forces loyal to incumbent president Laurent Gbagbo after he lost the December 2010 election; notably, given divisions over Libya, the Security Council adopted this Responsibility to Protect unanimously, with positive votes cast by Brazil, China, India, Russia, and South Africa. This action authorized a combination of sanctions and airstrikes, which forced Gbagbo to relinquish the office of the Presidency, and who was subsequently prosecuted by the International Criminal Court.

For many in the West, Libya was a remarkable R2P success. Muammar Qaddafi was perhaps hours away from sacking Benghazi. The international community responded rapidly and reversed its previous position of non-intervention. With France, the United Kingdom, and the United States leading the way, NATO prevented a massacre, pushed back government forces, and eventually facilitated the overthrow of the regimes and its replacement by a new government. Unfortunately, by failing to establish a credible stabilization operation following the overthrow of Qaddafi, the West snatched defeat from the jaws of victory. Moreover, not

everyone shared the West's optimism. This success was to prove more controversial and divisive than the many failures. Some countries grew concerned that the United States and other western powers were using R2P to advance their own interests, including regime change in places where an adversary of the West was in power. Russia, Brazil, India, South Africa, and others argued that NATO's intervention in Libya, following approval by the United Nations Security Council, quickly morphed from an operation to protect civilians into a mission to depose Qaddafi.

[...]

While there is evidence to suggest R2P has not been completely abandoned by significant parts of the international community, there is no doubt that on the most controversial of cases, like Syria, it is effectively dead in the water at the UN Security Council. This is not to say there are not instances where R2P missions will be undertaken; as described above, there are, but these are more likely to be in Africa than regions that are more geopolitically contested.

The United States and others invested in the development of the R2P regime will need to address three key questions in the years ahead. First, is there any diplomatic strategy that can persuade the opponents of R2P to support it in specific cases? What conditions need to be present? Second, can a reasonable version of the "responsibility while protecting idea" be resuscitated, perhaps recalling that during the Bosnia operation, NATO reported monthly to the UN Security Council, with no negative effect on its operations. Third, most controversially, if the Security Council opposes a Chapter VII R2P resolution, can the United States or NATO – or a regional organization like the African Union or the League of Arab States – still invoke it to justify a military intervention, and if so, what international support is required for such an operation to be legal and/or legitimate? What are the risks of that option? Can we envisage a more effect concept of post-intervention stabilization, and the tools to implement it? The answers to these questions will go some way to determining whether R2P continues to be a key component of the international security order.