

This comment reflects on the responsibility to protect language of the World Summit Outcome Document, arguing that the Summit agreement strengthens the legal justification for limited forms of unilateral and regional action including military action if the United Nations fails to act to protect populations from genocide and other atrocities.

The comment describes the summit outcome language endorsing R2P, calling it an important contribution to international law by strengthening the development of a new international norm regarding humanitarian protection.

More controversially, the comment suggests that the summit outcome language strengthens the legal justification for unilateral or regional interventions if the security council fails to act. And while this raises concern about the use of the responsibility to protect motives to mask an otherwise illegitimate intervention, the author argues that if the justifications are truly without substance, however, or if the intervention exceeded what was necessary to protect populations, the intervention would still be illegal and could justify Security Council action against the invading state. The fact that human rights language can be coopted by bad faith actors does not mean that such standards have no meaning.

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