

**[Crisis Alert] Urgent measures needed to protect Libyans as crisis turns into civil war; International Community urged not to forget Cote D'Ivoire**

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**I. Urgent measures needed to protect Libyans as crisis turns into civil war** *The ongoing political crisis in Libya, which began February 14 with peaceful mass protests, has now reportedly descended into*

*[civil war](#)*

*. The opposition established the Benghazi-based Transitional National Council as its representative body and*

*[met](#)*

*for the first time on March 5 at which time the Council released a*

*[statement](#)*

*declaring itself the sole national representative of Libya. The Council requested that “the international community fulfill its obligations to protect the Libyan people from any further genocide and crimes against humanity without any direct military intervention on the Libyan soil.”*

*The rebels have*

*[called](#)*

*on the UN, Arab League, and international community to recognize and support its efforts, and*

*[asked](#)*

*for the establishment of a no-fly zone. On March 10, France became the first country to*

*[recognize](#)*

*the Transitional National Council as the sole representative of Libya.*

#### **Lack of humanitarian access while more than 230,000 have already fled**

*The humanitarian situation has worsened as the numbers of refugees and Internally Displaced Persons (IDPs) continue to rise. On March 11, UNHCR*

*[reported](#)*

*that 230,000 people have fled violence thus far, and evacuation flights not able to keep up with the high pace of approximately 2,500 people per day at the Tunisian border.*

The

[United Nations Office for the Coordination of Humanitarian Affairs](#)

(OCHA) and

[Amnesty International](#)

have expressed concern about the security of migrants stranded within Libya amid reports of discrimination and violence targeting this community. On 13 March, Human Rights Watch

[reported](#) that gross human rights violations were occurring in Tripoli as Gaddafi's "security forces are brutally suppressing all opposition...with lethal force, arbitrary arrests, and forced disappearances." UN agencies are shut out from Libya and humanitarian access is extremely

[limited](#) for aid organizations outside of Benghazi, with the rest of Libya remaining out of access.

### **Regional organizations demands stronger reaction from the UN**

As the crisis in Libya takes a volatile turn, the international community continues to react, debating whether more coercive measures must be taken to protect civilians. Secretary-General Ban Ki-moon

[spoke](#)

with Libyan Foreign Minister Musa Kusa on March 7 and reminded him that authorities in Tripoli "must uphold their responsibility to protect the country's citizens and to heed the Libyan people's legitimate aspirations to live in dignity and peace." The Secretary-General appointed former Foreign Minister of Jordan, Abdelilah Al-Khatib, to the position of

[special envoy to Libya](#)

After voting to launch an investigative probe into the human rights panel on 25 February, the UN's Human Rights Council named on 11 March the

[high-level panel of experts](#)

to visit Libya in the to gather evidence and testimonies in the next two weeks for a full report to the Council in June. The panel will be led by Cherif Bassiouni, U.S.-based professor and war crimes expert born in Egypt who has served on previous U.N. human rights inquiries, Philippe Kirsch, a Canadian former judge of the International Criminal Court (ICC), who also served as the first president of the Hague-based tribunal, and Asma Khader, a Jordanian lawyer.

### **[NATO](#)**

began a 24-hour aerial surveillance over Libya on March 8 and has discussed whether to institute a no-fly zone over Libya. Colonel Gaddafi made a

[television address](#)

on March 9, saying that his people would take up arms in response to a no-fly zone, accusing the West of colonial intensions.

### [The Arab League](#)

held a meeting on March 12 in which it officially requested the UN Security Council to impose a no-fly zone against military action against civilians.□

The Secretary General of the□

### [Gulf Co-operation Council](#)

on March 8 also condemned the killings by pro-Qaddafi forces as massacres that amount to “crimes against humanity”, declaring that the protection of citizens was “an absolute priority”.

□□

On 10 March, the□

### [European Parliament](#)

adopted a Resolution recognizing the Interim National Council as officially representing the Libyan opposition. The resolution stressed that

“

the EU and its Member States must honor their Responsibility to Protect, in order to save Libyan civilians from large-scale armed attacks

; points out that no option provided for in the UN Charter can therefore□ be ruled out; calls on the High Representative and the Member States to stand ready for a UNSC decision on further measures, including the□ possibility of a no-fly zone aimed at preventing the regime from targeting the civilian population;”□

The Resolution asks to make financial and human resources available to support a robust international humanitarian operation, assisting humanitarian agencies in protecting and assisting population. It also declared that “mercenary activities are a threat to international peace and security and a crime against humanity and must therefore be stopped”.□

The issue of implementing a no-fly zone is now in the hands of the Security Council, which began deliberations on Monday 13 March over a draft UN Security Council Resolution led by the UK and France.

### **Debate stirs on which measures are best for protection**

As reflected in the Op-eds below, the situation in Libya has sparked a world-wide debate on the appropriate measures to protect populations according to Member States’ commitment to the Responsibility to Protect. Growing calls for a no-fly zones have been debated and scrutinized by many experts, some divided on the feasibility and desirability of this option. A no-fly zone would call for a Security Council approval under Chapter VII and require military enforcement capabilities. Others recalls that military intervention should be viewed as a last resort under RtoP, and note other measures available to the international community including surveillance and monitoring, humanitarian assistance, enforcement of the arms embargo and sanctions.

*Most of all, a great majority of analysts insist on the fact that any intervention should have a clear legal basis from the UN, and should occur in cooperation with African and Arab States. □*

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**II. Civil society calls for decisive action in Libya**      **1. Libya: Time for Decision**      Global Centre for the Responsibility to Protect

14 March 2010

International condemnation and action against attacks on civilians by Muammar Gaddafi's regime have epitomized the spirit of the landmark 2005 agreement on the responsibility to protect. (...)

The unprecedented agreement among Security Council members allowed swift UN action on a number of fronts. The package of measures authorized by resolution 1970 has demonstrated that the international community can indeed come together against a regime that has shown no remorse in victimizing its own population. The imposition by the Security Council of an arms embargo, asset freezes, travel bans, and referral of the case to the International Criminal Court show that collective action against a violator of the responsibility to protect can be effectively implemented under the authority of the United Nations.

Yet the situation today is one of dilemmas for the international community. The package of measures was intended to isolate Gaddafi, pressure his regime and encourage further defection. Notwithstanding their breadth, however, these measures have proven painfully slow and clearly insufficient in the face of a ruler bent on committing mass atrocities.

In this context the League of Arab States has stepped in, having already suspended Libya as a member on 22 February 2011. The League has now heightened its condemnation of the Gaddafi regime by reminding the Security Council that large-scale violence against civilians falls squarely within its remit. In an unprecedented move the League has formally called on the Council to shoulder this responsibility and to impose a no-fly zone over Libya, to protect civilians from air attacks by Gaddafi's forces.

The decision of the League of Arab States to call on the Security Council to authorize a no-fly zone over Libya speaks directly to the responsibility entrusted to the Council under the 2005 commitment. Behind the firm voice of the Arab League and its support for more forceful action lies the conviction that the Libyan regime should face the consequences for its brutal actions.

The efforts to stop atrocities and to stop Libya from falling off the precipice of civil war are not

without risks. For different reasons the world's powers have shown some reluctance, some apprehension of possible accusations about their motives. Arab support for a no-fly zone has very significantly defused such accusations. A no-fly zone is also justified by the ability of the Gaddafi regime to deploy air power as it murderously reasserts control.

(...) The world now looks to the Security Council as the institution entrusted with the responsibility to stop atrocities. The actions the Council can authorize may not be panaceas; inaction, however, is not justified. The Security Council must now provide the authorization of the no-fly zone without which no other decisive action against the Gaddafi regime appears likely.

The Security Council has spoken for the principle of the responsibility to protect; it has also ruled out its silence now.

See  
[full letter](#)

## **2. Libya: End Violent Crackdown in Tripoli**

Human Rights Watch

13 March 2010

Libyan security forces controlled by Muammar Gaddafi have launched a wave of arrests and disappearances in Tripoli that has gripped the city with fear, Human Rights Watch said today.

According to credible and consistent accounts given by Tripoli residents to Human Rights Watch, security forces have arrested scores of anti-government protesters, suspected government critics, and those alleged to have provided information to international media and human rights organizations. Some detainees have apparently been subjected to torture.

(...) The government has released some people after brief periods of detention, Human Rights Watch said, but the location and fate of many others remain unknown. The Libyan government has not released any information on the number or location of those detained, or the charges they face, if any.

The government crackdown in Tripoli began around February 20, 2011, when anti-government protesters converged on the city's central Green Square. Three witnesses to that protest told Human Rights Watch that security forces opened fire on the peaceful crowd, killing and injuring

an unknown number. (...) That night, heavily armed security forces deployed throughout the city, especially in the neighborhoods of Tajoura and Fashloom, where many of the anti-government protests had begun. Tripoli residents have told Human Rights Watch that some arrests began that night, including detentions of wounded protesters who had gone to local hospitals for medical care.

The government again used lethal force against peaceful protesters on February 25, responding to protests following Friday prayers that day.

Arrests and disappearances continued after February 25, Tripoli residents said, with internal security forces looking for individuals who had participated in protests or communicated with foreign journalists and human rights organizations. Individuals providing information on arrests said they were too afraid to continue to communicate about abuses. (...)

The only known eyewitness accounts of the fate of recent detainees come from three BBC journalists who were held by the army and internal security at three different military barracks for 21 hours starting on March 7. Two of the journalists said they were beaten and all three were subjected to a mock execution by security forces, despite having official permission to work in Libya. (...)

Despite promises of free movement from the Libyan government, other international journalists have faced physical attacks and detention, Human Rights Watch said. A cameraman from Al Jazeera, Ali Hassan al-Jaber, was shot and killed on his way back to the rebel-held city of Benghazi on March 12, in an apparent ambush. Wadah Khanfar, director-general of Al Jazeera, said the killing came after “an unprecedented campaign” against the network by Gaddafi. Two other Al Jazeera staff were wounded. One reporter from the London-based Guardian newspaper – Ghaith Abdul-Ahad, an Iraqi national who has won numerous journalism prizes – has been held in custody for six days. (...)

“The arrests and disappearances in Tripoli have cowed many who were peacefully protesting the government,” Whitson said. “It shows how much the government headed by Gaddafi is relying on intimidation.”

See  
[full article](#)

,  
as well as past press releases:

- - 8 March 2010: [Libya: Allow Relief Aid In and Refugees Out](#)

- - 2 March 2010: [Libya: Stranded Foreign Workers Need Urgent Evacuation](#)

### **3. A Ceasefire and Negotiations the Right Way to Resolve the Libya Crisis** International Crisis Group

10 March 2011

A complete ceasefire to be followed by negotiations to secure a transition to a post-Qaddafi, legitimate and representative government should be the immediate objectives of the international community's approach to the Libyan crisis. Military intervention should be viewed as a last resort, with the goal of protecting civilians at risk, and nothing should be allowed to preempt or preclude the urgent search for a political solution.

At the outset of the anti-Qaddafi protests, the international community reacted to widespread abuses against civilians by adopting measures (asset freeze, arms embargo, threat of prosecution of war crimes) which Crisis Group had called for and publicly supported as necessary to prevent a humanitarian disaster. But the situation has since evolved. It is now becoming a full-scale civil war.

(...) Qaddafi built a power structure centered around him and family members and dependent in part on tribal alliances rather than modern structures. As a result, the army and security forces could not remain neutral; they have split between forces loyal to one side or the other. The country also appears to be dividing along tribal and regional lines.

In this context, Western calls for military intervention of one kind or another are perilous and potentially counter-productive. There are no quick or easy fixes. Insisting that Qaddafi step down will not make it happen. Imposing a no-fly zone, bombing airfields or arming the rebels could tilt the balance of power in the rebels' favour but is unlikely to swiftly bring down the regime. In fact, it could hand the regime a propaganda gift that enables it to reinforce its position, while compromising and dividing the anti-Qaddafi coalition, which needs time to develop into a truly unified movement with a clear leadership and a coherent political vision. It might also prove inconclusive, placing the international community before a difficult dilemma: to deepen its involvement or witness a protracted stalemate.

Determined Western intervention could help topple the regime but at considerable political as well as human cost and would risk precipitating a political vacuum in which various forces engage in a potentially prolonged and violent struggle for supremacy before anything resembling a state and stable government are re-established. Such a vortex could draw in Libya's neighbours and gravely compromise prospects for democratic development in Tunisia and Egypt as well as create a humanitarian catastrophe on Europe's doorsteps. Entering the conflict likely would be far easier than exiting it.

Instead, the international community should enunciate clear principles aimed at ending loss of life and which it could defend regardless of the conflict's evolution:

- Condemnation of the use of force against civilians and of violations of international humanitarian law, with the credible prospect of international action should such actions escalate
- An immediate ceasefire.
- Negotiations between the protagonists aimed at replacing the current regime with a more accountable, representative and law-abiding government.

Both immediate humanitarian and longer term political considerations require an end to the violence through a cease-fire and negotiations between the two sides. Crisis Group accordingly calls for the formation of a contact group or committee consisting of internationally respected statesmen drawn from Libya's North African neighbours and other African states. Its mandate would be to broker an immediate ceasefire and initiate direct talks between the two sides to secure a transition to a post-Qaddafi regime that has legitimacy in the eyes of the Libyan people.

Such talks might not succeed. More forceful measures -- sanctioned by the UN Security Council and in close coordination with the Arab League and African Union -- might become necessary to prevent massive loss of life. But before that conclusion is reached, diplomatic options must first be exhausted. They have not even begun.

See full  
[article](#)

#### **4. Libya, the UN, the ICC and the Responsibility to Protect**

Marianne Ducasse-Rogier

Netherlands Institute of International Relations 'Clingendael'

Senior Training and Research Fellow

9 March 2011

(...) In 2005, the UN heads of states and governments gathered at the global summit to

celebrate the UN's sixtieth anniversary and solemnly endorsed the **'responsibility to protect'** (R2P) principle. (...)

This principle has generated numerous criticisms and fears since 2005, but also hopes. It has, however, slowly moved out of the headlines as international crises occurred without reaction. Darfur, Kenya, Guinea and Ivory Coast: in all of these places, very few voices were heard to invoke the

**responsibility to protect**

while civilian populations were the target of human rights' violations and deliberate violence. (...) This is why UN Security Council Resolution 1970 is a true revolution in international crisis management.

**R2P**

is not mentioned in the resolution: nonetheless, its flavour impregnates the decision. In referring the situation to the ICC, and thus sending a clear signal to unscrupulous leaders that their crimes will not go unpunished, the UN Security Council brings the responsibility to protect to the forefront of the battle to maintain international peace and security in the world.

This may not have been the primary objective of the countries sponsoring the resolution, which also incidentally covers them against potential future accusations of failing to prevent a genocide, but the decision taken on 26 February 2011 is nevertheless a huge step forwards for the UN Security Council, after years of contrition and stagnation following the interventions in Kosovo in 1999 and Iraq in 2003. It is also a major recognition for the ICC. In association with the UN Human Rights Council (another new institution born from the ashes of the UN Commission for Human Rights, which was discredited precisely because it could not take action against states such as Libya, which was elected its chair in 2003), the ICC is now appearing as a primary actor of international peace and security. The fight against impunity has become a concrete way to implement the

**responsibility to protect**

UN Security Council Resolution 1970 is perhaps not a sufficient answer, and it might not be solving all of the issues. A no-fly zone over Libya or even an international military intervention may well be required as an additional step if the situation worsens in Libya. The 1990s taught us that such a decision has to be backed up by appropriate means in order to be efficient. To date, it is only a (small) part of the

**R2P**

implementation measures that has been engaged; this is not negligible, however, contrary to what would be implied by the relatively small media attention that it has been granted. It is a long-awaited demonstration that the fate of civilian populations can still be taken seriously at the UN. This is definitely good news.

[Full article](#)

## 5. Libya: The AU almost totally marginalized as Libyan crisis turns into near civil war

African Conflict Prevention Programme

Institute for Security Studies

8 March 2011

(...) The African Union (AU) seems completely helpless in preventing the outbreak of a de facto civil war in Libya. One possible scenario being mooted to help end the conflict is the enforcement of a no-fly zone. A no-fly zone would in essence mean banning military flights by government forces through Libyan airspace. Military flights violating the ban would then risk being shot down by international forces. It is, however, not clear how successful such an intervention would be as it is likely to play into Gaddafi's argument that external actors are supporting insurgents. It is also unclear who would impose such a zone with the only likely possibility being the North Atlantic Treaty Organization (NATO). Such a move would, however, only be permissible if it is passed by a United Nations (UN) resolution. So far the AU has not played a role in discussions on the issue and its relative inactivity risks its marginalization in resolving the Libyan crisis. (...)

(...) What then are the likely implications of the current events in Libya on its relations with Sub-Saharan Africa? Under Qaddafi, Libya sought to geo-strategically align itself with Sub-Saharan Africa. The continued reporting of the involvement of mercenaries from Sub-Saharan countries such as Chad and Liberia in the Libyan crisis is, however, likely to test Libya's ideational ties with Sub-Saharan Africa. Some have argued that with the increase in racism against Black Africans in the Libyan crisis, this polarization is likely to intensify in the event of Qaddafi is removed from power as Libya will feel they were undermined by Sub-Saharan African countries. In such a case, Libya is likely to remain too detached from the continent and continue orientating itself more towards Europe and the Middle East.

Broadly, however, the issue of the use of mercenaries in African conflicts, whether allegations in Libya are true or not, needs to be seriously considered by AU institutions. Clearly past instruments designed to rid Africa of mercenaries have remained inadequate. The very definition of what constitutes mercenary activity is itself highly debatable and needs clarification based on events in Libya. Indeed, there have been reports of Western countries such as the United Kingdom and the Netherlands being directly involved on the ground in attempts to influence the direction of the conflict, with reported capture and arrests of their forces as they attempt to either meet with opposition figures or conduct stealth diplomacy. (...)

(...) The Libyan situation, in the absence of a prominent AU's leadership role, is therefore likely to be complicated by foreign powers, who undoubtedly will continue to engage in overt and covert activities to safeguard their interests. (...)

See  
[full briefing](#)

## **6. A call for up scaling Responsibility to Protect Mechanism in the Libya Situation**

Human Rights Network-UGANDA

03 March 2011

Human Rights Network-Uganda (HURINET-U) is concerned that human rights violations continue to persist in Libya at the outset of political protests by civilian population demanding an end to Muammar Gaddafi's 42 years reign. The protests began on February 14, 2011 in the Libyan capital-Tripoli, and have since spread across the entire state. The government of Libya has responded by the use of force to crush the unrest. The speech made by Gaddafi saying that „he would rather die a martyr than to step down“, coupled with calling on his supporters to attack and “cleanse Libya house by house” until protestors surrender, demonstrate his unwillingness to respond to the demands of Libyan people.

The international community should be reminded that, the heads of State and government at the

2005 World Summit pledged to protect populations by preventing genocide, war crimes, ethnic cleansing, and crimes against humanity, as well as their incitement. HURINET-U is concerned about reports of aircraft bombing protesters and foreign mercenaries attacking civilians in Libya.

This indicates that Libyan government has gone beyond the threshold of “manifestly failing” to protect its own population. In such circumstances, the responsibility to protect the Libyan people needs to be shifted from Libya to the international community. (...)

Based on the above therefore, we recommend that;

1. African states should uphold the principle of no-indifference as enshrined in Article four of the AU Constitutive Act and immediately intervene in ending massacres of civilian population in Libya.

2. AU and the Arab league have a duty to intervene and take appropriate actions to ensure that the rights and freedoms of Libyans are protected.

3. Libyan authorities and the belligerents should act with restraint, to respect human rights and international humanitarian law, and to allow immediate access for international human rights monitors and humanitarian agencies.

4. Considering that the UN Security Council (UNSC) has already treated the situation in Libya as a threat to International Peace and Security and referred the situation to the prosecutor of the International Criminal Court, it is necessary that the UNSC triggers its powers under Chapter VII of the UN Charter by taking appropriate non-military and military action to restore peace and security for the people of Libya.

See

[full letter](#)

## **7. Calls for German government to support action against Gaddafi**

Genocide Alert

March 2011

*Genocide Alert is an active ICRtoP member based in Koln, Germany, who has launched an email campaign directed at the German government (who has a seat on the Security Council) calling for action in Libya, modeled on its*

[Sudan Alarm campaign](#)

In light of the recent events in Libya, Genocide Alert published a press release on 24 February requesting the German government to advocate for sanctions as well as a no-fly zone over Libya within the Security Council and the European Union. The press release can be found

[here](#);

(in German).

Two days later, Genocide Alert published an article on Libya and the international community's responsibility to protect civilians from mass atrocities committed by Muammar Gaddafi and his forces. The article can be found [here](#) (in German).

Genocide Alert further established a [Libya email campaign](#) to call on Chancellor Merkel and

foreign minister Guido Westerwelle as well other relevant politicians in Germany to take more decisive action on Libya.

In the beginning of March 2011, Genocide Alert conducted an interview with Prof. Dr. Claus Kreß, eminent expert on international criminal law and member of the German delegations to the Assembly of States Parties of the ICC since 2003, on the situation in Libya and on the role of the ICC in general. Please find the interview (in German) [here](#). See [Genocide Alert's website](#)

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### **III. Op-eds debate what international response should be to protect population 1. Acting responsibly to protect Libyans**

Ramesh Thakur

The Star

13 March 2011

*Ramesh Thakur, professor of political science at the University of Waterloo, was an R2P Commissioner and a principal author of its report. His most recent book is [The Responsibility to Protect: Norms, Laws and the Use of Force in International Politics](#).*

(...) Libya today is the place and time to redeem or renege on R2P's solemn pledge. The people's uprising against Moammar Gadhafi is tailor-made for it. Many have already been killed and carnage is feared. After 42 years of autocratic rule, Gadhafi is using deadly violence to crush and kill his people in open revolt against his dictatorship. Putting all options on the table in response to planes, bombs and tanks seems a pusillanimous response.

Three sets of issues are involved: military capacity, legal authority and political legitimacy.

Boots on the ground may be neither wanted, helpful nor even feasible. Instead, military operations would entail four activities: surveillance and monitoring, humanitarian assistance, enforcement of the arms embargo and enforcement of a no-fly zone. Only the West has the military assets and operational capability for these tasks. But NATO would be ill-advised to take any military action on its own authority.

Calls have grown for a no-fly zone, not the least from rebels under aerial attack. Military analysts seem divided on the complexity and feasibility of the option. U.S. Defence Secretary Robert Gates says it would require the destruction of the Libyan air force; others warn of mission creep and the risk of being branded Western imperialists.

Yet a no-fly zone was successfully declared and enforced over Iraq to protect the Kurds for 12 years until 2003. It did not lead to mission creep: the 2003 war was a deliberate policy choice for totally independent reasons. The quality of Libya's air force is suspect: "a known unknown." A no-fly zone could tip the balance for Libyan air force officers' motivations to bomb fellow-citizens and defection to the rebels or the West.

The risks of mission creep and a deepening quagmire leading to nation-building would arise only if ownership of the uprising was appropriated from the Libyans by the West, as would happen with ground troops. But no one is asking for this.

Legal authorization from the UN Security Council should be restricted to the four military tasks listed above. The usual suspects have been very reluctant to support such a resolution. Their opposition could be overcome if and as it becomes clear that the Arab, Islamic and African nations, as well as the mass of defecting Libyan diplomats, support prompt and effective action to protect Libyan civilians, oust Gadhafi and promote democratic reforms.

If the Security Council dishonours the world's collective **responsibility to protect**

, limited and legitimate action by NATO is still possible under clear mandate from the African Union and Arab League, backed by the Organization of Islamic Conference and the Gulf Cooperation Council. Absent that, NATO guns should stay silent. (...)

See

[full article](#)

and the 11 March 2011 Op-ed by Ramesh Thakur in the Ottawa Citizen;

[Why the international community is powerless with Libya](#)

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## 2. Stepping in

Foreign Policy

James Traub

11 March 2011

(...) Western leaders and Western thinkers (...) have argued for the moral imperative of intervention in various forms to prevent or stop atrocities. The ex-colonial countries of the developing world, meanwhile, have invoked the sanctity of state sovereignty. The universal adoption in 2005 of the principle of "the

### **responsibility to protect**

" has blunted that divide somewhat by shifting the emphasis from the right of outsiders to intervene to the obligation of all states to prevent atrocities. But the debates over action in Burma, Sudan, Zimbabwe, and elsewhere were dominated by the same threadbare claims of sovereignty. Effective action was impossible so long as the neighbors insisted on protecting the abusive tyrant. (...)

Of course, the fact that Libya's neighbors are calling for a no-fly zone doesn't, by itself, make it a good idea. After all, they're not proposing to do anything but vote on it; the actual work would most likely have to be done by the United States and NATO, which in practice means the United States, which has the air assets in the region. And Russia or China could still block Security Council authorization for further action. But in this case, the legitimacy of Arab bodies counts for much more than the council's authorization. (...) Although Qaddafi's forces have made increasingly effective use of airpower, they would still enjoy a decisive military advantage over the rebels without it. (...)

There is no point in establishing a no-fly zone unless both the West and Arab leaders are prepared to take the next step. (...) This would be an outright act of war, though one that did not put foreign boots on Libyan soil. The goal, of course, would not be to induce Qaddafi to come to the negotiating table -- a Hitler-like

*Götterdämmerung*

is much more likely -- but to damage and demoralize his forces and thus tip the scales between the government and the rebels. (...) And according to a recent

*New York Times*

report, Qaddafi has enough cash to keep paying his militias for a long time to come.

(...) And to be effective, that action would require a serious commitment of military force. So again, why do it? Because it would be the right thing, and because it would be good for the United States. It would be the right thing because U.S. and NATO force could stop a ruthless tyrant from killing his own people and bring his monstrous rule to an end. Western intervention in the Congo wouldn't have solved the problem, while military action in Darfur might well have provoked a massive backlash in the Islamic world. But Libya is a case where force could work and where it will be deployed only after non-coercive methods have proved unavailing, as the doctrine of the

### **responsibility to protect**

requires. And it would redound to America's benefit because the United States would be placing its military power at the disposal of the Arab world in order to liberate Arab peoples.

Of course, absolutely everything about such a plan could go wrong. The Arab League could change its mind once the rubble began to fly; an American plane could get shot down; missiles could go awry and kill civilians; a rebel victory could throw Libya into chaos, or sharia, or back into charismatic authoritarianism. Or surgical strikes, like a no-fly zone, could prove unavailing.

What then? A full-scale intervention? (Answer: It's a moot point, because the neighbors would never approve it.) And since any of these things could happen, the dictates of prudence might argue that U.S. policymakers take a pass at the unprecedented invitation to act.

White House officials, of course, are hoping that the rebels will win on their own. So is everyone. But if the rebels keep floundering, as seems increasingly likely, President Barack Obama will have to choose either to act or to forego action. We have learned that his idealism is even more tempered by caution -- by prudence -- than we had initially thought. It's very hard to predict which way he'll go. I know which I would prefer.

See  
[full article](#)

### 3. Libya: Is there a place for military intervention?

World Bridge Blog

Refugees International

Ron Capps

10 March 2011

*Ron Capps directs RI's Peacekeeping program and the Partnership for Effective Peacekeeping.*

With all the turmoil in the Middle East over the past few weeks, we've been more or less glued to Al Jazeera watching regimes fall. The regime in danger this week is, of course, that of Muammar al-Qaddafi in Libya. (...)

(...) But let's back up a bit. At the 2005 World Summit, international leaders agreed to a principle known as the **Responsibility to Protect** (R2P). This commits states and the international community to protect civilians against ethnic cleansing, crimes against humanity, war crimes, and genocide. At least in theory, the U.S. and the rest of the international community have a responsibility to step in and provide protection for the Libyan civilians that Qaddafi is attacking.

The U.S. military has moved some assets into the Mediterranean Sea to be closer to Libya in case they are needed. But it seems quite unlikely the U.S. will make any bold military moves. The Secretary of Defense and Chairman of the Joint Chiefs have both made statements signaling their concerns over a possible military intervention.

So why isn't the U.S. taking action? It's a good question. For one thing, military options are limited. The U.S could try to impose a no-fly zone over Libya to keep Qaddafi from bombing his own people, but that's not as easy as it might seem. Libya has a very effective air defense network - said by some to be the second best in Africa - and it's unclear who controls it right now. The U.S. would have to destroy or at least significantly degrade that before it could effectively control the skies over Tripoli and Benghazi.

The U.S. could make a few targeted airstrikes against military targets in order to cripple Qaddafi's ability to wage war. This would be slightly easier and would actually be a pre-cursor attack to establishing a no-fly zone. (...)

(...) Now back to **R2P** for a moment. The principle rests on three pillars: the responsibility of a nation to protect its own people; that of the international community to assist and encourage nations and leaders to do so; and the ultimate responsibility of the international community to act to stop war crimes and crimes against humanity when a sovereign leader does not. The international community clearly missed the boat in Libya on the first two. The Security Council voted over the weekend to authorize the use of force and invoked **R2P**. Now it's up to the rest of the world to decide on a course of action.

See  
[full article](#)

#### 4. Libya And The UN: Whose Responsibility To Protect?

9 March 2010

Iftexhar Ahmad Chowdury and Yang Razali Kassim

*Iftexhar Ahmad Chowdury*

*is Senior Research Fellow at the Institute of South Asian Studies (ISAS). He was formerly foreign minister of Bangladesh and ambassador to the UN.*

**Yang Razali Kassim**

*is Senior Fellow with the S. Rajaratnam School of International Studies (RSIS), Nanyang Technological University.*

As the blood-letting in Libya continues, and the hapless protesters battle a repressive regime that has shown no qualms to slaughter its own people, the eyes of the world are focused on the United Nations. To its credit the Security Council has acted in strong terms. Is this enough? (...)

#### RtoP on Libya?

But the Libyan case is different. The efforts to bring about 'regime change' here need not be a 'back-door' endeavour. There is a crying need to do it now to end the excruciating human sufferings of the Libyan people. The Security Council has already agreed that war crimes are being committed in Libya by the ruling group. It is obvious that all peaceful means to resolve the crisis have proved futile, and the domestic authorities have manifestly failed in their responsibilities. If there ever was a time for collective action through the Security Council legally, morally, and in practical terms, it is now. If there ever was a situation ripe for the application of the principle of the

**RtoP**

, it is Libya.

In fact by adopting the UNSC resolution on 26 February, the implementation of the

**RtoP**

principle in its "hardcore" form has already begun. Significantly, however, the resolution did not skirt around this but explicitly invoked

**RtoP**

to justify the punitive actions on Gaddafi, his family and his coterie of key supporters. The resolution cited the Libyan regime's "

**responsibility to protect**

its own population".

What is required now is another back-to-back resolution. This one could include two things. The first is the proclamation of a 'no-fly zone' to prevent Gaddafi's air force from striking at a protesters' march upon Tripoli. The second is the issuance of "arrest warrants" against "war criminals" as the key personalities in the Gaddafi regime have been labeled.

But given the obvious sensitivity of all these punitive moves, especially over military intervention in the air or on the ground, the UN must be mindful of its limits. Nothing must be done to open itself up to accusations that it is taking Libyan sovereignty lightly — notwithstanding

**RtoP**

— or worse, it is promoting a neo-colonialist project.

The UN has rightly taken upon itself the mantle of protector of the helpless, for that body alone represents the aspirations of the entirety of humanity. If the UN fails, it will also signal the failure of the international community. See [full article](#) **5. Viewpoint: 'Overwhelming' moral**

**case for military path**

8 March 2010 B

BC

As calls for a UN-imposed no-fly zone over Libya gather support, Australian former Foreign Minister Gareth Evans - who has championed the doctrine that the international community has a responsibility to protect civilians - explains the moral case for such a move, in a BBC interview

.

***Is there a clear-cut case for a "responsibility to protect" justification for intervention in Libya?***

Gareth Evans: Absolutely, and that's been endorsed by the Security Council, which used that language and applied some quite serious coercive measures in terms of targeted sanctions, embargoes and references to the ICC - the International Criminal Court. The question now, of course, is whether a step further should be taken to go down the military path and I think, morally, the case is overwhelming. You just have to worry about military arguments, political arguments and legal arguments, that is three hurdles to cross before we can actually get there, which I think we need to do.

***(...) Doesn't that make it too late now to use the responsibility to protect civilians justification?***

GE: Not at all because we are facing escalation of this conflict that is still very one-sided in terms of the capacity of Gaddafi to do damage on the civilian population. I don't think there is any lack of moral clarity about this. There are real arguments about what would actually work best, whether it is a no-fly zone or support for people on the ground.

My own view is that a no-fly zone would be extremely effective in redressing the balance - the imbalance - we are seeing at the moment. To arm people on the ground runs the risk of escalating the conflict rather than levelling it down.

The real issues are political because the West certainly is not going to intervene unless they is some confidence that there are voices in Libya itself supporting this form of intervention, which seems to be increasing according to your own reports. (...)

***You say the judgment is what works best. Surely the judgment should be what works, period? You had a no-fly zone in Iraq imposed over Southern Iraq and it didn't stop Saddam Hussein killing the Shia.***

It didn't. But with the situation on the ground and with the way it is being characterised, and with quite a strong rebellion mounting on the ground, what you really need, to overcome the kind of catastrophic horror that Gaddafi has shown himself capable of inflicting, is some redressing of the manifest imbalance of those forces at the moment. The most obvious imbalance is the capacity to strike from the air, which is absolutely a challenge that is unable to be met on the other side.

A no-fly zone is not a soft option. It does involve probably taking out air defences, bombing

runways and certainly taking out aircraft that breach it.

But it would make - at least according to the military analysts I've spoken to believe - a very serious difference and in a way it is the easiest way for the international community to contemplate because it does not involve boots on the ground, which of course we know from past experience can be very problematic.

See  
[full article](#)

## 6. What should we do about Libya?

Foreign Policy

Stephen M. Walt

8 March 2011

*Stephen M. Walt is professor of international affairs at Harvard University's Kennedy School of Government, and previously taught at Princeton University and the University of Chicago. He is the author of "Taming American Power: The Global Response to U.S. Primacy" (2005).*

(...) For starters, let's acknowledge that the United States has no vital strategic interests at stake in the outcome of the Libyan struggle. Libyan oil production (about 1.6 million barrels/day prior to the recent violence) is valuable but not decisive, and can be made up by increased production in Saudi Arabia. Libya has no WMD (having been compelled to give up its various WMD programs by a protracted Western-led sanctions campaign), and it is not a significant military power.

Qaddafi has no links to al Qaeda (in fact, he's been a target of al Qaeda sympathizers in the past) and few, if any allies in the rest of the world. Libya's population is less than 7 million, and its economy (apart from oil) is unimpressive. Despite Qaddafi's many unsavory qualities and hostile acts, most U.S. presidents ultimately concluded that he was not important enough to remove from power, though the Reagan administration did target his residence in a bombing raid back in the 1980s.

Thus, the U.S. (and international) interest here is humanitarian, not strategic, which does not by itself mean that we should do nothing. What is going on in Libya does not constitute genocide -- a deliberate attempt to exterminate a whole category of people -- but the government's actions

are clearly brutal, inhumane, and almost certainly involve war crimes. It thus falls squarely under the heading of the

**"Responsibility to Protect**

" doctrine (R2P), a new norm of humanitarian intervention promulgated with some fanfare a few years ago.

**R2P**

says "where a population is suffering serious harm, as a result of internal war, insurgency, repression or state failure, and the state in question is unwilling or unable to halt or avert it, *the principle of non-intervention yields to the international responsibility to protect*" (my emphasis).

The 2005 United Nations World Summit adopted a modified version of

**R2P**

, with the participants committing themselves to "take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity." So if you take such pledges seriously, you might think that the international community would be strongly united in favor of decisive action in this case.

But here's where it gets messy (as usual). Russia opposes outside military intervention in Libya, which means that the Security Council is unable to authorize intervention along the lines suggested by

**R2P**

. (This is one reason why some of us were skeptical about the whole

**R2P**

initiative from the get-go). An alternative approach would have NATO or the EU or some coalition of regional organizations authorize outside action, but as numerous observers have already noted, this approach generates echoes of past colonial interference and could lend a certain (false) credence to Qaddafi's propaganda, which has sought to portray the rebels as some sort of foreign plot. Then remember that U.S. military forces are badly overstretched (which is why Secretary of Defense Robert Gates has been pouring cold water on the idea of a no-fly zone), and we've spent the past decade fighting wars in several other Muslim countries. Add all this up, and Obama's reluctance to send the Marines or impose a "no-fly zone" is understandable. It is not entirely clear that such a zone would make that much difference.

What this dilemma also highlights is the price the United States and its allies pay for the gross imbalance between U.S. military capabilities and those of its NATO partners. In practical terms, any strategically meaningful military intervention in Libya would depend almost entirely on U.S. forces and logistics. We might get some symbolic help from our NATO allies, but as in the Balkan wars, Iraq, and Afghanistan, the bulk of the heavy lifting would be borne by Uncle Sam. And that means that the United States will incur most if not all of the reputational costs for once

again interfering in the Middle East, especially if the decision went awry in any way.

Back in the 1990s, Europeans (and Europhiles) spoke glowingly about the rise of Europe's "civilian power," which was seen as an alternative to America's old-fashioned preoccupation with military force and as a more useful tool in the postmodern 21st century. The Libyan crisis reminds us that this sort of civilian power is of little use against well-armed opponents who are willing to use force and that "hard power" of the sort that only the United States now possesses is indispensable. (The fact that Washington sometimes uses its capabilities unwisely is a separate issue). The problem is that the United States has good reasons to refrain from using its hard power in this case, yet our longtime strategic partners are incapable of action on their own. The irony is that Europe's strategic interests are more fully engaged by events in Libya (if only because of the fear of large refugee flows), yet Europe lacks the capacity to do much in response.

If it were up to me, therefore, I'd use all nonmilitary means at my disposal to undermine Qaddafi's hold on power, and I'd stand ready to help Libya reform and rebuild in the event that his government finally falls. If other states want to funnel military aid to the rebel forces, I wouldn't object. If, as some sources suggest, Qaddafi himself might eventually be willing to leave power in exchange for a guarantee against prosecution, I might reluctantly take that deal for the sake of the greater good, however unjust it might be. But based on what has occurred thus far, I wouldn't be trying to organize a U.S.-led military intervention.

See  
[full article](#)

## 7. Does the UN Have a Responsibility to Protect Libyans?

The Mark

W. Andy Knight and Daniel Pipes

7 March 2011 One international relations expert says the United Nations has no right to intervene in the Libyan conflict. Another says it has no excuse not to.

**YES**

**W. Andy Knight**

***Chair of the Department of Political Science and Professor of international relations,  
University of Alberta.***

It is clear that Gadhafi has abdicated his responsibility as a sovereign to protect the people under his care. According to the human-rights norm the Responsibility to Protect (R2P), state leaders have a responsibility to protect their people and those living within their sovereign

borders. If a leader fails to protect his or her own people, then the international community has a residual responsibility to protect those individuals who are at risk. (...)

Clearly, Gadhafi and his sons have demonstrated that they are ready to commit further atrocities in order to remain in power. They have stated publicly that those who are challenging the government of Libya deserve to die and that the regime will fight them until the last drop of blood has been drawn. If we are to take Gadhafi at his word, we can expect that over the next few days the unstable and defiant Libyan leader and his family will do whatever it takes to remain in power. Their plan, according to Saif al-Islam Gadhafi, is to “live and die” in Libya. One can only infer that the Gadhafi clan and those who remain loyal to it will continue to commit acts of barbarity unless they are stopped.

So, barring the suicide or assassination of the embattled Libyan leader, the UN should go one step further to protect the lives of Libyan people. Using chapters 7 and 8 of the UN Charter, the UNSC should initiate and assemble (in collaboration with the Arab League, the African Union, and NATO) a strong enough military contingent to go into Libya and remove by force, if necessary, Gadhafi and his inner circle.

### **No Daniel Pipes**

**Director, Middle East Forum.** Presumably, if outside forces did get involved, it would be to stifle the government’s ability to attack the population. It’s unlikely that they would get involved in deciding who should take over and what the future leadership should look like. The latter is not a good idea.

In fact, I’m not someone who expects anything from the UN. Something serious like this should be a NATO project. To me, the UN is fundamentally illegitimate, because it’s made up of authoritarian states, or dictatorships. (...)

But putting that aside, I do think the UN’s intervention would be quite a radical step. I cannot think of other situations where there has been outside intervention in a situation of this sort. I’m not against it, but it is a major step. And it would be pretty easy for the UN to get involved in the situation in Libya, given how close it is to Europe, its small population, its geographic size, and the relative flatness of its land.

But would this set a precedent? Would it mean that international forces all over the world would intervene when governments attack their own populations? This is something that needs to be thought through carefully, because one wants to be consistent. One doesn’t want to just do it where it’s convenient.

See full  
[article](#)

## 8. World leaders must call R2P what it is

Lloyd Axworthy and Allan Rock

Ottawa Citizen

2 March 2011

*Lloyd Axworthy is president of the University of Winnipeg and a former Canadian Minister of Foreign Affairs. Allan Rock is president of the University of Ottawa and a former Canadian ambassador to the United Nations.*

In 2005, United Nations member states unanimously adopted a set of principles called the **Responsibility to Protect, or R2P**

. Shamed by its inaction in the Rwandan genocide and its late and limited response in Kosovo, the international community committed to protect populations facing mass atrocity when their own governments are unable or unwilling to protect them.

Rejecting arguments that governments in sovereign states have the absolute right to do as they please within their own borders, the world's leaders drew the line at mass murder. They endorsed a continuum of escalating responses from political condemnation, to sanctions and embargoes and, ultimately -in rare and extreme cases -to military intervention.

The international response to the crisis in Libya illustrates

### **R2P**

in action: the world is telling Moammar Gadhafi that it will not stand idly by and watch him massacre his own people. The Security Council, in the first stage of the

### **R2P**

process, has now imposed a range of preliminary measures to send that message and to set the stage for additional action if necessary.

Regrettably, neither the Security Council nor U.S. President Barack Obama has expressly referred to the

### **R2P**

resolution as the intellectual framework within which these responses are situated. That is a missed opportunity on several counts. First and most importantly, should the council eventually be asked to authorize the use of force, the case may be more difficult if that is the first time

### **R2P**

is mentioned. Second, here is a chance to demonstrate that

### **R2P**

is not just about sending armies across borders, as many of its critics contend. Rather, it seeks to pressure in various ways. Military intervention is the last resort after all other measures have

failed. The international response in Libya will demonstrate that more powerfully, provided the early measures are expressly linked to  
**R2P.**

There are other reasons why it is important to invoke

**R2P**

in this case. The doctrine provides a coherent framework against which to evaluate options should the crisis worsen. Seeing the Security Council's actions last Saturday as the first step in an

**R2P**

response encourages a disciplined analysis of those options measured against the principles adopted in 2005. Furthermore, the impact of the measures imposed last Saturday is diminished if they are seen as isolated responses rather than the first points on a continuum that will lead, if necessary, to much more serious consequences.

Canada has a special connection to

**R2P**

. The Canadian government sponsored the international commission that conceived of the doctrine, and Canadian diplomats led the effort that resulted in its adoption. Canada should therefore play a prominent role in preparing for what might come during the next few uncertain weeks in Libya, including the "worst-case scenario."(...)

See full

[article](#)

See other opinions referring to the Responsibility to Protect and response in Libya:

- [Global Post –Robert C. Johansen, How to save lives in Libya; 13 March 2011](#) *Opts for the establishment of a UN humanitarian corridor;*
- [New York Times –Job C. Henning; Counterpoint: Protecting the Libyan People; 9 March 2011](#) *Argues for the US to exercise its responsibility to protect Libyans from mass atrocities and assembly a Coalition of Nations to take the lead in enforcing a no-fly zone*
- [New York Times –H. D. S. Greenway; No-Fly Zone? No. 8 March 2001](#) *Cautions against the US enforcing a no-fly zone outside of a UN-backed mandate*
- [Time Magazine – Romesh Ratnesar: Libya: The Case for U.S. Intervention, 7 March 2011](#) *Case for US and allies to stake steps through no-fly zone*
- ForeignPolicy Blog: Turtle Bay –Colum Lunch: [The U.N.'s tough stand on Qaddafi: exception or rule? 7 March 2011;](#)

### [Analysis of the context for Security Council's](#)

swift reaction

- [The World –Libyan dilemma for the West; 4 March 2011;](#) *Explores the pros and cons of a no-fly zone*
- [Globe and Mail –How to intervene in Libya? Timothy Garton Ash; 3 March 2011](#)
- [Business Daily –Sam Makinda: Post-Gaddafi regime is the tough test; 11 March 2011;](#) *The no-fly zone should be part of a broader effort to transform Libya into a accountable and democratic government*

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**IV. International Community urged to remember Cote d'Ivoire** *The UNHCR [stated](#) that “while international attention has been focused in recent weeks on events in North Africa, the unfolding tragedy in West Africa has gone largely overlooked.” Côte d'Ivoire's newly appointed Ambassador to the UN, Youssoufou Bamba,*

[warned](#)

*that the country is “on the brink of genocide” and stated that civilians’ homes are being marked according to the residents’ ethnic background. As*

[reported](#)

*by the UN, at least 392 people have been killed since mid-December as a result of clashes between forces loyal to incumbent Laurent Gbagbo, and internationally recognized election winner, Alassane Ouattara. The UN High Commissioner for Human Rights, Navi Pillay*

[commented](#)

*on the deteriorating situation, stating that “human rights abuses, including rapes, abductions and killings are being committed by people supporting both sides.”*

*Ms. Pillay*

[reminded](#)

*all parties “of their responsibility to protect civilians, irrespective of ethnicity, nationality, or religion”, and warned of the risk of resurgence of civil war*

*. UNHCR*

[reported](#)

*that 77,000 refugees have been registered in Liberia, with a further 370,000 people displaced within Côte d'Ivoire.*

*Laurent Gbagbo*

[called](#)

*for the international community to leave Côte d'Ivoire and, on March 10, banned UN and French peacekeeping mission planes from landing in the country. Secretary-General Ban Ki-moon*

[responded](#)

*by stating that the UN “will maintain its flight operations and take all necessary measures...to protect its assets and fulfill its mandate, particularly with regards to protection of civilians.” The High Level Panel for the Resolution of the Crisis in Côte d'Ivoire, established by the African Union, issued a*

[Communiqué](#)

on March 4 in which it reiterated the AU's urgent appeal to show restraint, and called on parties "to refrain from acts and steps likely to undermine the ongoing efforts, including the media campaigns inciting hatred and violence." The Panel

[issued](#)

a proposal that called for the formation of a government of national unity while an "honorable exit was found for incumbent president Laurent Gbagbo"; however Gbagbo has

[rejected](#)

calls to step down and invited the Panel to reconsider its position on the political crisis.

The AU Peace and Security Council, in its 256

th

meeting held on March 10, adopted a

[decision](#)

on Côte d'Ivoire that reaffirmed its recognition of Ouattara as the President, requested the appointment of a High Representative for the implementation of a political solution to the crisis, and underlined its determination to use all relevant instruments of the AU that the situation would require. Furthermore, the Council

[called](#)

on the Constitutional Council of Côte d'Ivoire to swear in Ouattara as the legitimate president, who would then be responsible for establishing a government of national unity that would take initiatives to promote national reconciliation.

## **1. AU at the crossroads – Will the AU meeting finally resolve the Ivorian political standoff?**

African Conflict Prevention Programme

Institute for Security Studies

11 March 2011

(...) This week, African leaders convened in Addis Ababa for the African Union's Peace and Security Council meeting on Côte d'Ivoire. The meeting that took place on March 9-10 discussed the proposals for the binding resolutions of the AU, in its attempts to craft a final solution to the post-electoral debacle in the former beacon of stability in West Africa. (...)

(...) The AU went further with two additional and equally important proposals: the initiative to appoint a High Representative to oversee the implementation of the resolutions; and a timeframe of two weeks for parties to work out its modalities.

These resolutions have two major implications for the ongoing crisis in Côte d'Ivoire. The first is

that they vindicate the electoral process and its outcomes – as an essential departing point to preserve the will of the majority of Ivoirian people. Secondly, the Panel has certainly taken into consideration the need to preserve the credibility of the AU and that of the Panel itself that were both at stake. (...)

(...) The question now is how to short-circuit Laurent Gbagbo's grip on power in a way that averts a civil war. Three scenarios emerge from the AU resolutions. The first is a perpetuation of the status quo with all the risks that it entails, while the AU High Representative for the implementation of the political solution continues the dialogue and mediation endeavor. (...)

(...) The Second scenario albeit mildly unlikely is that Laurent Gbagbo will step down having realized that his options to remain in power are exhausted. As the AU Peace and Security Commissioner Ramtane Lamamra told reports, the AU "will not take no for an answer." This could be seen as the AU determination to not only uphold the UN-certified electoral result but also to enforce the resolutions of the meetings no matter what.

The third scenario is the outbreak of a civil war that would nullify the guarantees currently been discussed for Laurent Gbagbo's honourable exit from power. The AU has called on the development partners to uplift the sanctions imposed on Gbagbo and his close allies and has communicated this decision to the UN Security Council and other international actors."

See  
[full briefing](#)

## **2. Open Statement on the Situation in Côte d'Ivoire**

Global Centre for the Responsibility to Protect

7 March 2011

(...) With each passing day civilians in Côte d'Ivoire face a growing risk of mass atrocities. Conditions on the ground have deteriorated significantly in recent weeks and the country appears on the brink of a return to civil war. (...)

(...) The risk of crimes against humanity – crimes that states committed themselves to protect populations from in adopting the responsibility to protect (R2P) at the 2005 World Summit – is all too real and likely to increase should the civil war reignite. UN member states must take swift action to deter and halt perpetrators from committing and inciting mass atrocities and protect at

risk populations in Côte d'Ivoire. (...)

(...) Incumbent President Laurent Gbagbo's continued intransigence over the election's results favoring his opponent Alassane Ouattara, and his readiness to permit an escalation in incendiary rhetoric and violence has heightened the risk of mass atrocities facing civilians. Xenophobic hate speech targeting Ouattara supporters, many of whom are from the north and are perceived by some as "foreigners," and West African Muslim immigrants is rampant. There has also been regular incitement of violence towards UN personnel and peacekeepers who have been the targets of harassment and violence in recent weeks. (...)

(...) Attacks by security forces and militias loyal to Gbagbo against those perceived to be supporters of Ouattara are rising, as are attacks on individuals as a result of their ethnic or religious affiliation. (...)

(...) The clashes in the west between the FN and security forces suggest that Côte d'Ivoire is one step closer to civil war. During the 2002-2003 conflict, crimes against humanity and war crimes were committed repeatedly by the very same parties currently fighting. In the absence of any accountability for those crimes there is little reason to believe the behavior of these groups will be any different today. Clashes along the Liberian border, large refugee flows, and the reliance by all sides on Liberian mercenaries, risks destabilizing Liberia and raises the potential for mass atrocities given the brutal tactics used by Liberian militias during their own civil war.

Gbagbo and Ouattara must insist that their supporters end the fighting and refrain from the commission of mass atrocities. The security forces must exercise restraint, abide by international law and standards on the use of force, and protect all persons in Côte d'Ivoire irrespective of their political affiliation, ethnic, religious or national identity.

While international actors have swiftly condemned the ongoing violence and warned that there will be accountability, these efforts along with the imposition of targeted sanctions on Gbagbo's government by the United States and European Union have thus far failed to deter the commission and incitement of crimes. (...)

(...) While R2P places a special emphasis on prevention, in unanimously adopting it, member states accepted a responsibility to take action to protect and save lives should preventive efforts fail. The UN peacekeeping operation in Côte d'Ivoire's (UNOCI) Chapter VII mandate includes an obligation to "protect civilians under imminent threat of physical violence." It is imperative that UNOCI, and the troop contributing countries that support it, fulfill this mandate. This includes deploying to areas where populations face the greatest risk, being prepared to take robust action, and having the resources necessary to do so.

The Security Council must use every means possible to deter and dissuade actors from the commission of atrocities and from a return to civil war. Contingency plans should be developed outlining scenarios whereby atrocities may occur and identifying what preventive and protective measures need to be taken, and by whom. Such plans also must set out the options to halt the broadcasting of hate speech and for coercive action including military options should efforts to avert and halt atrocities fail. The Security Council should not wait for the outcome of the African Union panel to take preventive and protective action, it must uphold the responsibility to protect and act now before more lives are needlessly lost. (...)

See  
[full statement](#)

*Thanks to Eliana Horn and Megan Schmidt for compiling this listserv*