

Other Crises of Concern The following situations have raised concerns from civil society, media and governments as to the extent to which crimes on the ground have reached a widespread and systematic level, arguably a determining factor for whether the RtoP threshold for an international response has been met. Some of the following crises have spurred debates as to whether RtoP was applicable to these particular instances.

Georgia-Russia Crisis: A Misapplication of RtoP (August 2008) The Russian government maintained that its invasion of Georgia was necessary under the principles of RtoP, calling Georgia's actions against populations in South Ossetia genocide. However, in cases where the State itself is not upholding its Responsibility to Protect, this responsibility is transferred to the international community, strictly as a collective response through the UN. It is unclear whether the degree of threat to Russians in Georgia represented actual or imminent mass atrocities to the scale pertinent to the R2P norm and also whether military force was the appropriate response.

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The Crisis in Gaza: An RtoP Situation? (December 2008-January 2009)

RtoP has been referred to, notably by

[Richard Falk](#)

, UN Special Rapporteur on the Occupied Palestinian Territories, but also by others who claim that crimes committed in Gaza have reached the threshold of RtoP crimes. The humanitarian crisis prompted various independent investigative committees that have reported the commission of mass atrocities by both Hamas and the Israeli government. Most recently, the UN Fact Finding mission in Gaza found evidence of serious violations of international human rights and humanitarian law committed by Israel during the Gaza conflict, which amounted to war crimes, and possibly crimes against humanity. There remain questions as to the extent to which these crimes were widespread and systematic, arguably a determining factor for whether the RtoP threshold for an international response was met. In addition, questions remained as to whether invoking RtoP could bring the desired changes to protect civilians in this deeply politicized situation.

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Somalia: Monitoring Possible RtoP Crimes Continues In Somalia, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA), insecurity is still growing with escalating clashes between Ethiopian/Transitional Federal Government (TFG) forces and anti-government elements. Both are responsible for a variety of attacks against civilians. In 2007, each party to the armed conflict committed serious violations of international humanitarian law, in some cases, amounting to war crimes. This situation requires continued monitoring.

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