

**DOKUZ EYLÜL UNIVERSITY
GRADUATE SCHOOL OF SOCIAL SCIENCES
DEPARTMENT OF INTERNATIONAL RELATIONS
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MASTER’S THESIS**

**THE EVOLUTION OF THE “RESPONSIBILITY TO
PROTECT” DOCTRINE IN THE RHETORIC AND ACTIONS OF
THE PERMANENT MEMBERS OF THE UNITED NATIONS
SECURITY COUNCIL**

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ABSTRACT

Master's Thesis

The Evolution of the “Responsibility to Protect” Doctrine in the Rhetoric and Actions of the Permanent Members of the United Nations Security Council

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Humanitarian intervention has been one of the most controversial issues in international politics over the last decades; the controversy arises from the tension between the norm of state sovereignty and universal human rights. The practice of humanitarian intervention has always created doubts for those who argue that it has been undertaken for the sake of national interests of states. With a view to resolving that tension, the International Commission on Intervention and State Sovereignty came up with the concept of the “Responsibility to Protect” (R2P) that puts forward universal rules for the use of force in another country for protecting people whose fundamental rights are grossly violated by their own governments. However, there are still reservations about the effectiveness of R2P to halt violence in states suffering from civil war and about the intentions of states that use the doctrine of R2P to intervene militarily in another country. In order to examine the effectiveness of this doctrine, this study analyzes the rhetoric and actions of the permanent members of the United Nations Security Council (UNSC). Against the theoretical background of R2P, this study compares the attitudes of the UNSC permanent members toward the humanitarian crises before the adoption of R2P (Rwanda, Bosnia, and Kosovo) and their attitudes toward the humanitarian cases during the post-R2P period (Libya and Syria). Overall, this thesis demonstrates the failure of the new doctrine to have caused a meaningful change in the behavior of the UNSC toward protecting strangers for the sake of common humanity and

the failure of the doctrine to have created a more solidarist international community that does not prioritize or protect national interests at the expense of human rights and human security.

Keywords: Responsibility to Protect, Humanitarian Intervention, United Nations Security Council, Rwanda, Bosnia, Kosovo, Libya, Syria.

ÖZET

Yüksek Lisans Tezi

**“Koruma Yükümlülüğü” Doktrini’nin Birleşmiş Milletler Güvenlik
Konseyi Daimi Üyelerinin Söylem ve Eylemlerindeki Evrimi**

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Egemenlik prensibi ve evrensel insan hakları arasındaki gerilimli ilişkiden dolayı insani müdahale kavramı, uluslararası politikanın en tartışmalı konularından biri olagelmıştır. Ayrıca, kavram, insani müdahale uygulamalarının milli çıkarlar için yapıldığını düşünen taraflar için de her zaman şüphe yaratmıştır. Müdahale ve Devlet Egemenliği Komisyonu (ICISS), bu gerilimi ortadan kaldırmak için, “Koruma Yükümlülüğü” kavramını ortaya atıp temel insan hakları kendi hükümetleri tarafından ihlal edilen insanları korumak amacıyla yapılan uluslararası müdahaleleri evrensel kurallara bağlamayı amaç edinmiştir. Ancak, “Koruma Yükümlülüğü” doktrininin bir ülkedeki iç savaşın yarattığı şiddeti durdurma konusundaki etkinliği hakkındaki şüpheler ve bu doktrini kullanan devletlerin niyetlerine dair tartışmalar hala devam etmektedir. Bu sebeple, bu tezin amacı bu tartışmalı kavramın etkinliğini analiz etmek ve buna bağlı olarak bu kavramın Birleşmiş Milletler Güvenlik Konseyi Daimi Üyeleri’nin retorik ve eylemlerinde herhangi bir değişim yaratıp yaratmadığını incelemektir. Bu çalışma, “Koruma Yükümlülüğü” doktrininin teorik arka planına kısaca değindikten sonra, Birleşmiş Milletler Güvenlik Konseyi Üyelerinin bu doktrini kabul edilmeden önceki insani krizlere (Ruanda, Bosna, Kosova) olan yaklaşımlarını, doktrin kabul edildikten sonraki insani krizlere (Libya ve Suriye) olan yaklaşımlarıyla karşılaştırmaktadır. Sonuç olarak, bu tez, yeni doktrinin Birleşmiş Milletler Güvenlik Konseyi Daimi Üyelerinin politikalarında ortak insani değerler

uđruna yabancıları korumaya yönelik herhangi anlamlı bir deđiřime yol açmadıđı ve milli çıkarlardan arınmıř daha dayanıřmacı bir uluslararası toplum ortaya çıkarmadıđını göstermektedir.

Anahtar Kelimeler: Koruma Yüğümlülüđü, İnsani Müdahale, Birleşmiş Milletler Güvenlik Konseyi, Ruanda, Bosna, Kosova, Libya, Suriye.

**THE EVOLUTION OF THE “RESPONSIBILITY TO PROTECT”
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ABBREVIATIONS

AL	Arab League
AU	African Union
BP	British Petroleum
CFSP	Common Foreign and Security Policy
DRC	Democratic Republic of Congo
FAR	Rwandan Armed Forces
FRY	Federal Republic of Yugoslavia
EC	European Community
ESDI	European Security and Defense Identity
EU	European Union
ICISS	International Commission on Intervention and State Sovereignty
ICC	International Criminal Court
IDP	Internally Displaced People
IFOR	NATO-led Implementation Force
KDOM	Kosovo Diplomatic Observer Mission
KFOR	NATO-led Kosovo Force
KLA	Kosovo Liberation Army
MP	Member of Parliament
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organization
NIF	Neutral International Force
NSS	National Security Strategy

NTC	National Transitional Council
PDD	Presidential Decision Directive
R2P	Responsibility to Protect
RPF	Rwandan Patriotic Front
RTLM	Radio Télévision Libre des Mille Collines
OAU	Organization of African Unity
OIC	Organization of the Islamic Conference
SHA	Secure Humanitarian Area
SDS	Serbian Democrat Party
UN	United Nations
UK	United Kingdom
US	United States
USA	United States of America
UDHR	Universal Declaration of Human Rights
UNAMIR	United Nations Assistance Mission for Rwanda
UNHCR	United Nations High Commissioner for Refugees
UNMIK	United Nations Mission in Kosovo
UNSC	United Nations Security Council
UNSMIS	United Nations Supervision Mission in Syria
UNPROFOR	United Protection Force
YNA	Yugoslav Peoples Army

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INTRODUCTION

Humanitarian intervention has been one of the most controversial issues in the international politics over the last decades.¹ At the center of the debate is the contradiction between the principle of sovereignty of states upon which the international order is based, and the evolving system of thought that has esteemed the use of force for the sake of universal human rights. In order to reduce the tension between these two principles, the International Commission on Intervention and State Sovereignty (ICISS) came up with the idea of the “Responsibility to Protect” (R2P), which aims to create universal rules for the use of force in another country for protecting people who suffer from their own governments. This idea has turned into a practicable concept with its adoption in the United Nations General Assembly in 2005 and its reaffirmation with subsequent United Nations Security Council (UNSC) Resolutions.

The adoption of the R2P has pleased the advocates of the humanitarian intervention, since the UNSC, legally the most authoritative executive power in issues related to international peace and security, has failed many times to stop the humanitarian catastrophe. In this respect, this study analyses the evolution and effectiveness of this new concept, and its relation with the rhetoric and actions of the permanent members of the United Nations Security Council (UNSC)² whose executive power has been acknowledged by both the United Nations Charter and the ICISS Report of the R2P.³ In order to understand how the evolution of R2P has been shaped by the rhetoric and actions of the Permanent Five, and also the difference that the R2P has brought to the actions of the Permanent Five in humanitarian crises, this study compares their behavior in cases both before and after the adoption of the R2P doctrine. The methodology of this study involves the examination of the rhetoric and actions of the Permanent Five in chosen humanitarian crises via the UNSC meeting

¹ Humanitarian intervention in this study refers to definition of Jennifer Welsh who define humanitarian intervention as “*coercive interference in the internal affairs of a state involving the use of armed force, with the purposes of addressing massive human rights violations or preventing widespread human suffering*”. See Jennifer M. Welsh, **Humanitarian Intervention and International Relations**, Oxford University Press, Oxford, 2004, p.3.

² The permanent members of the United Nations Security Council are also known as the “Permanent Five”.

³ UNSC permanent members consist of the United States, the United Kingdom, France, Russia and China.

records, the discourses of state leaders of the Permanent Five, periodicals, academic journals and books.

This study analyzes the behavior of the Permanent Five in five humanitarian crises that have been picked up on purpose. In each case, the reaction of the Permanent Five toward the crisis is unique and represents different tendency regarding their decision to intervene. For the pre-R2P period, Rwanda, Bosnia and Kosovo cases are examined, since they have been regarded as the most problematic intervention experiences of the UNSC with its almost no intervention in Rwanda, late intervention in Bosnia, and the illegal intervention in Kosovo. These three cases were referred most in the ICISS Report on the R2P on the ground that they constituted the most traumatic failures of the UNSC before the adoption of the R2P.⁴ For the post-R2P period, Libya and Syria conflicts were selected to examine to what extent the Permanent Five has been bound up with the R2P doctrine; both conflicts constitute useful case studies in that they have had repercussions all over the world with their complexity and high death toll, and the UNSC has adopted an unequal approach toward them.

In this regard, this study falls into four sections in order to cover the details of the R2P doctrine and the approach of the Permanent Five in each humanitarian crisis. The first section explains the origins and evolution of the R2P idea in the ancient and contemporary political theory by examining both the pro and against thoughts on humanitarian intervention. Then, it elaborates on the birth of the R2P doctrine of the ICISS in 2001, its innovative features in theory and its difference from the R2P that was adopted in the United Nations General Assembly in 2005. As an important point, the general stance of the Permanent Five toward the R2P doctrine are also examined since this gives crucial signals about the policies of these states when they are faced with real humanitarian crises.

The second section analyzes three humanitarian cases and the position of the Permanent Five in each case before the adoption of the R2P doctrine. The section

⁴ Apart from these three cases, Somalia intervention is also regarded as a failure of the UNSC in the ICISS Report. However, since it shares similar features with the Rwanda and Bosnia cases with respect to the attitudes of the UNSC permanent members, it is not analyzed as an additional case given the space limits of the study.

starts with the Rwanda genocide in 1994 in which Hutu population murdered millions of Tutsi people before the indifferent eyes of the international community. In this respect, the background of the Rwanda genocide and the failures of the UNSC to stop the massacre in Rwanda are given. Afterwards, the section explains the discourses and actions of the UNSC permanent members about the Rwanda genocide, and tries to reveal to what extent their reluctance was associated with their national interests. As a second case of this section, the Bosnian war, which lasted from 1992 to 1995, is investigated by describing the reasons of war and diplomatic attempts of the UNSC permanent members. Then, the failure of the Permanent Five to take timely action in the Bosnian war and their legitimization attempts of their default to prevent the Bosnian Serbs from slaughtering thousands of Bosnian Muslims are presented. As the final case of this section, the Kosovo case in which the majority of the Permanent Five adopted a completely different attitude from the Rwanda and Bosnia crises is examined. After elaborating on the background of the Kosovo war, this section investigates the discourses of the Permanent Five that reflects disagreement among them and ultimately resulted in the illegal intervention in Kosovo without any UNSC authorization. Finally, the reasons behind the supportive and opponent rhetoric and actions of the Permanent Five are described and explained.

The third section deals with two humanitarian crises that took place after the adoption of the R2P doctrine in 2005 and it explains the positions of the Permanent Five in each case. The section starts with the Libyan crisis that was the first case that met with the military intervention of the UNSC after the adoption of the R2P doctrine. In this sense, the reasons behind the active foreign policy of the Permanent Five and the surprising decision of Russia and China not to veto the UNSC Resolution that allowed military intervention in Libya are examined. As a contrast to the decision of the UNSC to intervene in Libya to halt the violence, the second part of this section looks into the Syrian conflict, which has not experienced any serious attempt of the Permanent Five to end the brutality. Accordingly, after scrutinizing the conflict in Syria briefly, this part tries to present the main causes behind the reluctance of the Permanent Five to get involved in the Syrian war and their rhetoric to legitimate their inaction.

The fourth section examines to what extent the R2P doctrine has influenced the behavior of the Permanent Five regarding humanitarian intervention. It tries to present whether the R2P doctrine has been effective to purify humanitarian intervention decisions of the Permanent Five from their national interests. After analyzing five humanitarian crises and attitudes of the UNSC in each case, this section concludes that there has been selectivity in the intervention preferences of the UNSC permanent members; in cases where the Permanent Five has material incentives to intervene, they become more willing to adopt a humanitarian discourse and protect people. In this sense, this study demonstrates that the even though the R2P doctrine has been underpinned by political theories that glorify universal human rights, the attempts of transforming the R2P doctrine into a legally binding international norm has failed until now due to the continuing political practices of the Permanent Five to prioritize their national interests. After analyzing the role of the R2P doctrine in international politics, this study continues with the concluding chapter that discusses whether any future prospect for the adequate implementation of the R2P doctrine exists for the sake of humanity.

CHAPTER 1

THE NOTION OF THE RESPONSIBILITY TO PROTECT (R2P) IN RETROSPECT

*If humanitarian intervention is indeed an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violations of human rights?*⁵

Kofi A. Annan

The Responsibility to Protect (R2P) doctrine is the outcome of deep-seated thought on humanitarian intervention, which has been always one of the most contested concepts in the discipline and practice of international relations. Even though the common perception is that it is a construction of the twentieth century, its roots go back to the Just War tradition of Saint Augustine of Hippo in the fifth century as well as Saint Thomas Aquinas in the thirteenth century.⁶ In order to comprehend the “Responsibility to Protect” doctrine better, it is necessary to review the Just War tradition, since the R2P doctrine of the International Commission on Intervention and State Sovereignty (ICISS) has been inspired from the criteria of the Just War tradition. Basically, the Just War tradition’s main interest is to determine the criteria that legitimize certain types of war and de-legitimize others.⁷ According to Richard B. Miller, the essential aim of the Just War tradition was to differentiate some types of killing (war) from murder and make them morally acceptable. In this sense, two pillars of the Just War tradition, which are *jus ad bellum* and *jus in bello*, require explanation. *Jus ad bellum* criterion (decision to wage war) asks “when” and “whether” questions in order to decide when the resort to force is justified. *Jus in bello* criterion (conduct of war) seeks to answer “how” and “method” questions in order to find which strategies and methods are acceptable in warfare since ends

⁵ Kofi A. Annan, “We the Peoples: The Role of the United Nations in the 21st century”, **United Nations**, <http://www.un.org/millennium/sg/report/full.htm>, (01.08.2013).

⁶ Mona Fixdal and Dan Smith, “Humanitarian Intervention and Just War”, **International Studies Review**, vol. 42, no.2, 1998, p. 286.

⁷ Alex Bellamy, **Just Wars: From Cicero to Iraq**, Polity Press, Cambridge, 2006, (Just Wars), p.5.

cannot justify means.⁸ The main principles of *jus ad bellum* criterion are just cause, right authority, right intention, last resort, proportionality, and reasonable hope, which will be discussed in detail below.⁹

Regarding the historical evolution of Just War tradition, one can come across signs of it even in the ancient Greece although the Peloponnesian War has been regarded as the breakdown of those war conventions. After the strong Athenian victory against Sparta and its allies in the Peloponnesian War, the philosophers started to think that justice was not related to power.¹⁰ When we look at the period of early Christian theologians, we can see that Jesus' pacifism increasingly waned, because the existence of constant threat to the Roman Empire had led many Christians to join the Roman army. As the Roman Empire's need for military power increased, the pacifist teachings of Christ gave place to an emphasis on the heroic legends in the Old Testament and it was replaced by the new interpretation of the New Testament in which the warfare was legitimized.¹¹ Under these circumstances, St. Augustine wrote on the Just War by emphasizing certain parts of the Bible, which suggested that some conditions rendered the use of force legitimate. For Augustine, the sin of violence was derived from the motivation rather than the act itself. This view proposed that using force was just if it relied on just intention and just ruler. Furthermore, the resort to force could be just if it was applied "in self defense, to collect reparations or reclaim stolen property, if divinely sanctioned, and to maintain religious orthodoxy". Besides, it is important to note that Augustine had a state-centric view about the Just War since he argued that war could only be just if it was waged by states.¹² In this sense, the important thing for Augustine was the "inward disposition" of the individual that shaped the outward action; the killing could be justified if it aims at correcting an injustice and restoring peace.¹³

⁸ Richard B. Miller, **Interpretations of Conflict: Ethics, Pacifism, and the Just-War Tradition**, The University of Chicago Press, Chicago, 1991, (Interpretations of Conflict), p. 13.

⁹ Miller, *Interpretations of Conflict*, p. 13.

¹⁰ Bellamy, *Just Wars*, p. 18.

¹¹ Aidan Hehir, **Humanitarian Intervention: An Introduction**, Palgrave Macmillan, London, 2010, pp. 26-27.

¹² Hehir, pp. 26-27.

¹³ Bellamy, *Just Wars*, p. 28.

The writings of St. Thomas Aquinas (1224-1274), who was descendant representative of Just War tradition, were not independent from the circumstances, which had accelerated the launching of the Crusades. The collapse of the Roman Empire in 395 had led to violence and division among groups in Europe, which resulted in the launch of Crusades by the Church. During the last years of the Crusades, St. Thomas Aquinas constituted his perspective on the Just War, which was clearly inspired by Augustine's writings.¹⁴ In the *Summa Theologiae*, Aquinas explained three conditions, which justified the resort to force and still remain at the center of debates on humanitarian intervention:

*Firstly, the authority of the ruler at whose command war is to be waged... Secondly, there is required a just cause; that is that those who are attacked for some offense should merit the attack... Thirdly, there is required, on the part of the belligerents, a right intention, by which it is intended that good may be accomplished or evil avoided.*¹⁵

Apart from the Just War tradition that played a salient role in the birth of R2P principles of the ICISS, the classical and contemporary political thinkers have been also significant in the evolution of the humanitarian intervention concept that ultimately has been transformed into the contemporary R2P doctrine. Therefore, summarizing the perspectives of some political and legal theorists may be illuminating. As in the case of his predecessors such as Augustine and Aquinas, the philosopher Francisco de Vitoria's (1492-1546) writings are supportive of the idea that self-defense or protecting the innocent can be regarded as the just causes of war.¹⁶ During the age of Enlightenment, important philosophical thinkers such as Hugo Grotious, Samuel Pufendorf, John Locke, Thomas Hobbes, Jean-Jacques Rousseau and Immanuel Kant also contributed to the debate with their natural law perspectives.¹⁷ The natural law theorists saw humanitarian intervention as an imperfect duty, which does not refer to any corresponding right.¹⁸ For instance, Grotious based the right of humanitarian intervention on the natural law notion of

¹⁴Hehir, p. 28.

¹⁵ Hehir, p.28.

¹⁶ Bellamy, Just Wars, p.52.

¹⁷ Natural law is a naturalist doctrine arguing human beings have moral and universal duties due to their common humanity.

¹⁸ J. L. Holzgrefe, "The Humanitarian Intervention Debate" in **Humanitarian Intervention: Ethical, Legal, and Political Dilemmas**, eds. J. L. Holzgrefe and Robert O. Keohane, Cambridge University Press, Cambridge, 2003, p. 26.

societas humana-the universal community of human kind.¹⁹ His statements about humanitarian intervention were related to “imperfect duty”, which is not a specific obligation directed by a contract but a duty of beneficence and it is not wrong not to do.²⁰ Emmerich de Vattel (1714-1767) restated the just cause criteria as “claiming rightfully owned property; punishing the aggressor or offender; and self-defense”,²¹ while stressing the importance of system of international law in which nations were free, independent and equal.²² Immanuel Kant’s *Perpetual Peace* (1795) significantly contributed to the Just War tradition, which has been one of the most contested issues since then. In contrast to what his predecessors said about the Just War, Kant rejected any kind of war by referring to an ancient Greek belief that war is bad because ‘it produces more evil people than it destroys.’²³ The peace, according to Kant, cannot be maintained without general agreement between the nations; it requires a specific kind of league, which he calls *pacific federation* (*foedus pacificum*). This federation seeks to protect the freedom of each state instead of gaining state-like power.²⁴ Thus, we can assume that Kant was opposed to any kind of coercive authority that intervenes into states. The fifth preliminary article of *Perpetual Peace* deserves emphasis since it identifies different circumstances for the legitimacy of external interference: ‘No state shall forcibly interfere in the constitution and government of another state’.²⁵ It argues that if internal conflict has not reached the degree of anarchy in a state, the interference of external powers will cause violation of the rights of an independent people who try to overcome their internal strife. However, as a result of internal disorder, if a state is divided into two parts and each part asserts a separate state, then external states can intervene because there is obviously anarchy in that situation.²⁶ On the other hand, Kant’s thoughts about human rights have cosmopolitan connotations since he defined rights as the “only original right

¹⁹ Holzgrefe, “The Humanitarian Intervention Debate”, p. 26.

²⁰ Terry Nardin, “The Moral Basis of Humanitarian Intervention”, **Symposium on the Norms and Ethics of Humanitarian Intervention**, Center for Global Peace and Conflict Studies, University of California, Irvine, 26.05.2000, p. 10.

²¹ Bellamy, *Just Wars*, p. 80.

²² Bellamy, *Just Wars*, p. 79.

²³ Thomas Mertens, “Kant’s Cosmopolitan Values and Supreme Emergencies”, **Journal of Social Philosophy**, Vol.38, No.2, 2007, p. 237.

²⁴ Hans Reiss, **Kant: Political Writings**, Cambridge University Press, Cambridge, 2007, p. 104.

²⁵ Reiss, p.96.

²⁶ Reiss, p.96.

belonging to every man by virtue of his humanity”.²⁷ In this sense, some authors derived from this sentence that Kant could be in favor of humanitarian intervention for the sake of humanity since cosmopolitanism assumes that all humans have duties and responsibilities to all human beings for the sake of humanity without considering ethnicity, gender, culture, nationality, political commitment, religion, place of birth, geographical location, state citizenship or other communal linkages.²⁸ In this sense, the practice of humanitarian military intervention is strictly related with the cosmopolitan aim of protecting human rights vis-à-vis corrupt governments.²⁹

When we look at the contemporary political theorists that have contributed to the debates on humanitarian intervention, we can see liberal, cosmopolitan and communitarian strands of thought. John Rawls is one of the most important representatives of contemporary liberalism with his *A Theory of Justice*. His political philosophy gives importance to individual autonomy and rights vis-à-vis political community, which should be neutral in order to allow individuals to pursue their lives.³⁰ The intervention into an outlaw state that has violated human rights can be justified since liberal and decent peoples have the right not to condone outlaw states.³¹ Jürgen Habermas, who is regarded as the leading representative of new cosmopolitanism, updates Kant’s idea of cosmopolitan condition in order to handle the issues of the twentieth century.³² Habermas asserts that the tension between nation-state and cosmopolitanism can be overcome if the authority of cosmopolitan and national institutions is reconciled. In contrast to the theory of Rawls that delegates the authority to intervene to nation-states, Habermas searches for global legal authorization for humanitarian intervention. However, he defends NATO’s unauthorized intervention in Kosovo since he regards this case as an “emergency situation”.³³ Michael Walzer, a renowned communitarian, emphasizes collective self-

²⁷ Otfried Höffe, **Kant’s cosmopolitan theory of law and peace**, Cambridge University Press, Cambridge, 2006, p.11.

²⁸ Garret Wallace Brown, “Bringing the State Back into Cosmopolitanism: The Idea of Responsible Cosmopolitan States”, **Political Studies Review**, Vol. 9, no.1, 2011, p. 53.

²⁹ Robert Fine, **Cosmopolitanism**, Routledge, London, 2007, p. 79.

³⁰ David Moszkowicz, “Michael Walzer’s Justification of Humanitarian Intervention: Communitarian? Cosmopolitan? Adequate?”, **Political Theology**, Vol.8, No.3, 2007, p. 282.

³¹ John Rawls, **The Law of Peoples**, Harvard University Press, Cambridge, 2001, p. 81.

³² Fine, p. 40.

³³ Fine, p. 88.

determination, shared social understanding and cultural pluralism in his writings.³⁴ From the perspective of Walzer, even though a government is illegitimate internally, it does not require external intervention for gaining legitimacy. He argues that enough “fit” between people and government, which is observable in most cases, excludes foreign intervention. The only legitimate factor for foreign intervention is the obvious lack of that “fit”, and the existence of genocide, enslavement and mass deportation.³⁵ He adopts a minimalist version of human rights in which the life and liberty are at stake.³⁶ For Walzer, humanitarian intervention can be justified when the acts in one country “shock the moral conscience of mankind”. The emphasis here is that the moral convictions of ordinary men and women should be shocked by the gross violations in question.³⁷

Humanitarian intervention has also been a salient and popular topic in IR theory. The debate about humanitarian intervention generally revolves around the themes of the limits of moral community, the consequences of intervention, and the principles of international society.³⁸ Generally speaking, one can distinguish between two distinct theoretical approaches to the concept: deontological and consequentialist theories.³⁹ The consequentialism (or utilitarianism), whose roots go back to Jeremy Bentham and John Stuart Mill, generally supports humanitarian intervention if it maximizes the general welfare, which refers to human lives in humanitarian intervention.⁴⁰ In this sense, the net benefit of humanitarian intervention is more significant than the loss of some civilian lives.⁴¹ This approach has an important place in the discourses on humanitarian intervention since it has been consistent with political and prudential calculations. However, it has been criticized for having cold

³⁴ Moszkowicz, p. 283.

³⁵ Fernando R. Teson, “The Liberal Case for Humanitarian Intervention”, **Humanitarian Intervention: Ethical, Legal, and Political Dilemmas**, eds. J.L. Holzgrefe and Robert O. Keohane, Cambridge University Press, Cambridge, 2003, p. 104.

³⁶ Michael Walzer, “The Argument about Humanitarian Intervention”, **Dissent**, 2002, p. 2.

³⁷ Michael Walzer, “**Just and Unjust Wars: a Moral Argument with Historical Illustrations**”, Basic Books, New York, 1977, p. 107.

³⁸ Jennifer M. Welsh, “Taking Consequences Seriously: Objections to Humanitarian Intervention”, **Humanitarian Intervention and International Relations**, ed. Jennifer M. Welsh, Oxford University Press, Oxford, 2004, p. 53.

³⁹ Teson, p. 116.

⁴⁰ Teson, p. 115.

⁴¹ Eric A. Heinze, “Commonsense Morality and the Consequentialist Ethics of Humanitarian Intervention”, **Journal of Military Ethics**, Vol.4, No.3, 2005, p.73.

and apathetic concerns that glorify the overall benefit of public while ignoring the individual human suffering in humanitarian crises.⁴² Realists and pluralists can be regarded as consequentialists whose main objections to humanitarian intervention will be explained below. On the other hand, the deontological approach, which is generally associated with Kantian ethics, does not advocate intervention if it violates the rights of innocents by using them as means to an end, even though the overall intervention may be successful.⁴³ However, this approach has also been criticized for encouraging the international community to stand by genocides in order not to cause harm by intervening while the decision of inaction may actually be more harmful.⁴⁴ The English School is one of the most important IR theories that combine both deontological and consequentialist arguments about humanitarian intervention. The main assumption of the English School is that states “form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another”.⁴⁵ According to Nicholas Wheeler, the English School assists us to comprehend the conflict between order and justice that is revealed by humanitarian intervention. The students of the English School are divided among themselves into pluralist and solidarist camps. Pluralists, generally speaking, perceive humanitarian intervention as the violation of the basic norms of international society such as sovereignty, non-intervention and non-use of force. According to them, states are the main actors in international law, which performs the function of maintaining order among states which may hold different perspectives on justice.⁴⁶ The main concern of the pluralists is that the lack of international consensus on the rules of humanitarian intervention undermines the international order. Therefore, in the absence of universally agreed criteria and norms, pluralists remain opposed to interventions that are likely to damage the sovereignty of states and disrupt international order; they prioritize order, however imperfect it may be, over a dubious justice. On the other hand, solidarists seek to strengthen the legitimacy of international society by making it more just and fair. Hedley Bull, a leading student

⁴² Heinze, p. 180.

⁴³ Teson, p. 115.

⁴⁴ Heinze, p.176.

⁴⁵ Nicholas J. Wheeler, **Saving Strangers: Humanitarian Intervention in International Society**, Oxford University Press, New York, 2000, (Saving Strangers), p. 25.

⁴⁶ Wheeler, *Saving Strangers*, p. 11.

of the English School, defines solidarism as “the solidarity, or potential solidarity, of the states comprising international society, with respect to the enforcement of the law”.⁴⁷ The solidarist argument, according to Wheeler, acknowledges that states should take the risk of casualties in exceptional cases of humanitarian emergency.⁴⁸ R. J. Vincent, a solidarist student of the English School, supports the duty of humanitarian intervention that is undertaken by international community arguing that “states should satisfy certain basic requirements of decency before they qualify for the protection which the principle of non-intervention provides.”⁴⁹ This perspective acknowledges the rights and duties of individuals in international law. More importantly, solidarists have the conception of an international society of states in which states have the duty of protecting their own citizens and of being “guardianship of human rights everywhere”.⁵⁰ However, Hedley Bull had cautioned “there is no present tendency for states to claim, or for the international community to recognize, any such right”.⁵¹

In order to have a fuller comprehension of the debate on humanitarian intervention it is also necessary to look into the main objections toward humanitarian intervention. The Realist theory, one of the leading IR theories, rejects humanitarian intervention as it sees it as a hidden manifestation of national self-interests and as a tool that the strong will use against the weak.⁵² But more significantly, in terms of the classical realist notion of *raison d’etat* the main responsibility of state is to protect national interests. The *raison d’etat* involves a different kind of morality in the sense that the needs and interests of public are supposed to have a legitimate claim on the action of state leaders. This superiority of national interests over universal moral claims can be observed in the writings of Hegel who regarded the state as the ultimate source of morality. According to him, all external interventions violate the moral freedom of states.⁵³ The other tradition that makes emphasis on national interests is social contract theory, which has also inspired Realism.

⁴⁷ Wheeler, *Saving Strangers*, p. 11.

⁴⁸ Wheeler, *Saving Strangers*, p. 50.

⁴⁹ Wheeler, *Saving Strangers*, p. 28.

⁵⁰ Wheeler, *Saving Strangers*, p. 12.

⁵¹ Holzgrefe, p. 34.

⁵² Wheeler, *Saving Strangers*, p. 29.

⁵³ Welsh, p. 58.

According to that theory, state is a discretionary association for the advantages and interests of its members. The well-being of its citizens within the borders of the state is crucial as Allen Buchanan states: “The justifying function of the state—what justifies the interference with liberty that it entails—is the well-being and freedom of its members. There is no suggestion that the state must do anything to serve the cause of justice in the world at large.”⁵⁴ Realists and pluralists are also consequentialists since they think that intervention will create more problems than solve.⁵⁵ For instance, they argue that military costs of intervention can be harmful for the financial situation of intervening states or that hostility among states can increase due to the concerns of other states about potential intervention into their own internal affairs.⁵⁶ Muhammed Ayoob as a strong non-Western representative of pluralism asserts that the practice of humanitarian intervention is the greatest challenge to international society.⁵⁷ For him, the state still remains the only repository of sovereign authority, and the norm of non-intervention and respect for state sovereignty are the best tools for maintaining the international order.⁵⁸ The past practice of humanitarian intervention shows that most states tend to undertake humanitarian intervention when their national interests are at stake.⁵⁹ Another critical theory that has reservations about humanitarian intervention is Marxism that grounds its explanations of international politics on the conflict between the capitalist minority and the oppressed majority.⁶⁰ In this regard, the Marxist approach is doubtful about the legitimacy of humanitarian intervention since it believes that there exist hidden interests behind it; according to Marxists, “[m]orality is ideology, and thus represents the interests of a class”.⁶¹ Marxist writers regard the increasing interventions of Western powers in the name of humanity as their attempt to take

⁵⁴ Allen Buchanan, “The Internal Legitimacy of Humanitarian Intervention”, **Journal of Political Philosophy**, Vol.7, no.1, 1999, pp. 74-75.

⁵⁵ Welsh, p. 62.

⁵⁶ Welsh, pp. 62-63.

⁵⁷ Welsh, p. 65.

⁵⁸ Mohammed Ayoob, “Humanitarian Intervention and State Sovereignty, **The International Journal of Human Rights**, Vol.6, no.1, 2002, p. 81.

⁵⁹ Ayoob, p. 85.

⁶⁰ Hehir, p. 64.

⁶¹ Chris Brown, “Marxism and International Ethics”, **Traditions of International Ethics**, eds. Terry Nardin and David R. Mapel, Cambridge University Press, Cambridge, 1992, p.228.

control of new markets in those countries for the sake of strengthening their capitalist elites.⁶²

Having given the theoretical background of the humanitarian intervention, which ultimately reinforced the notion of the R2P and ultimately assisted its adoption at the UN General Assembly in 2005, it is important to note that the doctrine is also the outcome of the legal practices of international community. The notion of punishing states that commit crime against humanity such as genocide can be dated back to the Nuremberg Tribunal in 1945, which had held leaders of sovereign states responsible for such crimes. However, Nuremberg Courts had only punished persons charged with a crime under the international law including crimes against peace, war crimes and crimes against humanity, but not the crimes that were committed by state leaders toward their own citizens.⁶³ The Universal Declaration of Human Rights (UDHR) that was accepted on 10 December 1948 can be seen as the next important move to protect human rights. Even though, legally speaking, it has no binding power, the Declaration can be considered as a moral guide for the conduct of states. Also, its significance is based on the fact that it is the first UN declaration that emphasizes the need of protection of individuals by the international community in addition to their own states.⁶⁴ Despite the unanimous acceptance of the Genocide Convention (1948) by the UN General Assembly, until the establishment of International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda, the international actors had not attempted to implement the terms of the Convention. The foundation of the permanent International Criminal Court (ICC) in 1998 was another notable sign of the will of increasing number of states to hold guilty leaders accountable for their crimes against humanity.⁶⁵ According to Samantha Power, powerful states started to acknowledge that they have responsibility to cease mass atrocity and, if necessary, establish

⁶² Michael Mandel, "Illegal Wars, Collateral Damage and International Criminal Law", **Yugoslavia Unraveled: Sovereignty, Self-Determination, Intervention**, ed. Raju G. C. Thomas, Lexington Books, Maryland, 2003, p. 293.

⁶³ Richard H. Cooper and Juliette Voinov Kohler, **Responsibility to Protect: The Global Moral Compact for the 21st Century**, Palgrave Macmillan, New York, 2009, p.vii

⁶⁴ Cristina Gabriela Badescu, **Humanitarian Intervention and the Responsibility to Protect: Security and Human Rights**, Routledge, New York, 2011, p. 29.

⁶⁵ Cooper and Kohler, p. viii.

international tribunals.⁶⁶ This idea assisted to shape the notion of ‘sovereignty as responsibility’ that was firstly introduced by Francis Deng who was appointed as Special Representative on Internally Displaced People (IDPs) by the UN Secretary General Boutros-Ghali in 1993. Faced with a growing number of conflicts around the world and of internally displaced people, Deng and his colleague, Roberta Cohen, stated that “[the] internally displaced are paradoxically assumed to be under the care of their own governments despite the fact that their displacement is often caused by the same state authorities”.⁶⁷ In other words, they argued that essential responsibility to protect IDPs belongs to their own governments and they conceived the notion of sovereignty as ‘responsibility’.⁶⁸ Also, they asserted that if a state fails to carry out its responsibilities, then it should call for international assistance.⁶⁹ Having been inspired from the idea of “sovereignty as responsibility”, International Commission on Intervention and State Sovereignty (ICISS) under the leadership of Gareth Evans and Mohamed Sahnoun introduced the doctrine of “Responsibility to Protect” in its report of in 2001.⁷⁰ The ICISS report had the intention of conceptualizing humanitarian intervention soon after the Kosovo crisis and the Secretary General Kofi Annan’s call for reconciling the disagreement between the norm of state sovereignty and fundamental human rights.⁷¹ In conceptual terms, the doctrine of responsibility to protect (R2P) attempts to reconcile two conflicting principles that govern international relations, which are equal sovereignty of states and human security in a solidarist sense.⁷²

⁶⁶ Cooper and Kohler, p. viii.

⁶⁷ Francis M. Deng, *The Plight of the Internally Displaced: a challenge to the International Community*, **Brooking Institute**, 2004, <http://www.brookings.edu/~media/research/files/articles/2004/4/08humanrights%20deng/20040408plight.pdf>, (01.08.2013), p. 2.

⁶⁸ Roberta Cohen and Francis M. Deng, ***Masses in Flight: The Global Crisis of Internal Displacement***, The Brooking Institution, Washington, 1998, p. 275.

⁶⁹ Alex J. Bellamy, “The Responsibility to Protect and the Problem of Military Intervention”, **International Affairs**, Vol. 84., no.4, 2008, (The Problem of Military Intervention), p. 619.

⁷⁰ International Commission on Intervention and State Sovereignty, “The Responsibility to Protect”, **International Development Research Centre**, Ottawa, 2001, <http://responsibilitytoprotect.org/ICISS%20Report.pdf>, (01.08.2013). p. XI.

⁷¹ Kofi Annan, “The Annual Report of the Secretary General to the General Assembly”, **UN Press Release**, 20.09.1999, <http://www.un.org/News/Press/docs/1999/19990920.sgsm7136.html>, (01.08.2013).

⁷² Cooper and Kohler, p. 3.

The objective of the ICISS has been to shift the terminology from “right to intervene” to “responsibility to protect” since the object of focus is those needing support instead of those undertaking intervention.⁷³ In this regard, the report represents a change from “sovereignty as control” to “sovereignty as responsibility”.⁷⁴ Its ethical implication is that humanitarian intervention is not only morally permissible, i.e. a right, but it is also a responsibility that should be undertaken by the international community, i.e. a duty.⁷⁵ The ICISS has emphasized that the “responsibility to protect” is not only related to military intervention but also incorporates three particular responsibilities, which are the responsibility to prevent, the responsibility to react and the responsibility to rebuild.⁷⁶ The responsibility to prevent aims at removing the root causes as well as the apparent causes of internal conflicts. According to the ICISS, prevention of conflicts is an integral part of the R2P.⁷⁷ The responsibility to react refers to responding to situations of human misery in any part of the world with appropriate means such as coercive sanctions, international prosecution, and, as the last step, military intervention. In terms of the responsibility to react, in order to pass the threshold of military intervention, there must be large scale loss of life or large scale ‘ethnic cleansing’.⁷⁸ The responsibility to rebuild includes recovery, reconstruction and reconciliation after the military intervention.⁷⁹

Inspired by the “Just War tradition”, the R2P doctrine have threshold criteria, which are just cause and other precautionary principles including right intention, last resort, proportional means and reasonable prospects.⁸⁰ Regarding the criterion of right authority, the report prescribes the United Nations Security Council as the most appropriate body; if it fails to act in a timely manner, the matter will be considered by the General Assembly under the “Uniting for Peace” procedure while regional organizations can act within the area of jurisdiction under Chapter VIII of the

⁷³ International Commission on Intervention and State Sovereignty, p. 17.

⁷⁴ Dorota Gierycz, “From Humanitarian Intervention to Responsibility to Protect”, **Criminal Justice Ethics**, Vol.29, No 2, 2010, p. 113.

⁷⁵ James Pattison, “Whose Responsibility to Protect? The Duties of Humanitarian Intervention”, **Military Ethics**, Vol.7, No 4, 2008, p. 263.

⁷⁶ International Commission on Intervention and State Sovereignty, p. XI

⁷⁷ International Commission on Intervention and State Sovereignty, p. XI

⁷⁸ International Commission on Intervention and State Sovereignty, p. XII.

⁷⁹ International Commission on Intervention and State Sovereignty, p. XI.

⁸⁰ Gierycz, p. 113.

Charter.⁸¹ According to the ICISS, military intervention for protecting people can be justified if it is based on the following criteria: “large scale loss of life, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or large scale ‘ethnic cleansing’, actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape”.⁸² The criterion of right intention aims to limit the objective of military intervention to ceasing ‘human suffering’ and thus to prevent the changing of national borders or supporting one of the conflicting parties for achievement of self-determination.⁸³ In order to satisfy the criterion of right intention, the ICISS argues that the intervention should be carried out on multilateral basis and should be supported by the people whose country is subject to the intervention.⁸⁴ The international community should also explore and exhaust all diplomatic and non-military tools for stopping the humanitarian crisis before using military force, which constitutes the criterion of last resort. In this sense, the conflicting parties should be invited to negotiate, and a ceasefire should be guaranteed through the deployment of international peacekeepers rather than military tools. However, if these options come to nothing, then military intervention by outside states can remain on the agenda.⁸⁵ Proportional means should be employed in order to halt the human suffering, which means that military means should be proportional to the humanitarian ends with their scale, duration and intensity.⁸⁶ Concerning the criterion of reasonable prospects, the ICISS states that military intervention can be justified on the grounds that it has “reasonable chance of success” to stop the violence and the results of military action should be relatively better than inaction.⁸⁷ According to Gareth Evans, this last criterion is controversial in the sense that it prevents military intervention against the five permanent members of the Security Council even if other preconditions for military intervention are satisfied, and thus it creates doubts as to double standards. However, the ICISS argued that these criteria, taken as a whole, would increase the possibility of

⁸¹ International Commission on Intervention and State Sovereignty, p. XIII.

⁸² International Commission on Intervention and State Sovereignty, p. 32.

⁸³ International Commission on Intervention and State Sovereignty, p. 35.

⁸⁴ International Commission on Intervention and State Sovereignty, p. 36.

⁸⁵ International Commission on Intervention and State Sovereignty, pp. 37-38

⁸⁶ International Commission on Intervention and State Sovereignty, p. 38.

⁸⁷ International Commission on Intervention and State Sovereignty, p. 37.

achieving consensus about the appropriate time and conditions to make intervention and reduce the possibility of vetoes of the SC members.⁸⁸ According to Ramesh Thakur, a leading commissioner, the criteria that were proposed by the ICISS would restrict the possible abuses of R2P and constrain the extent of future Security Council interventionism.⁸⁹ Theoretically speaking, in order to increase the Council's ability of decision making, the ICISS also stated that UNSC members should not use their veto power in R2P cases unless their vital interests are at stake.⁹⁰ However, the ICISS criteria created doubts about their implementation: for instance, the United States administration did not accept the criteria due to the constraints on the veto rights of permanent members.⁹¹ Russia and China were concerned about the ICISS criteria on the grounds that they would be used to bypass the Security Council.⁹²

The effort of the ICISS to change the international language from "sovereignty as authority" to "sovereignty as responsibility" is praiseworthy, because the sovereignty of states has been long regarded as "the basic norm" of international order in which every sovereign state respects the equal sovereign right of others.⁹³ According to Gareth Evans, the mentality of the 1945 UN Charter mirrored the Westphalia spirit with its Article 2 (7) stating: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State."⁹⁴ In this sense, the 1945 UN Charter emphasizes the superiority of international regime which has been based on the principles of self-determination, equality of sovereign states and the ban on obtaining territory by using force.⁹⁵ The UN Charter has a non-interventionist character; it allows states to use force only in cases of individual and collective self-

⁸⁸ Gareth Evans, "From Humanitarian Intervention to the Responsibility to Protect, **Wisconsin International Law Journal**, p. 711.

⁸⁹ Ramesh Thakur, **The United Nations, Peace and Security: From Collective Security to the Responsibility to Protect**, Cambridge University Press, Cambridge, 2006, p.260.

⁹⁰ Gierycz, p. 113.

⁹¹ Bellamy, "The Problem of Military Intervention", p.625.

⁹² Bellamy, "The Problem of Military Intervention", p. 625.

⁹³ Badescu, p. 20.

⁹⁴ Gareth Evans, "The Responsibility to Protect: From an Idea to an International Norm", **Responsibility to Protect: The Global Moral Compact for the 21st Century**, eds. Richard H. Cooper and Juliette Voinov Kohler, Palgrave Macmillan, New York, 2009, (The Responsibility to Protect), p. 16., Also see "Charter of the United Nations" <http://www.un.org/en/documents/charter/chapter1.shtml>, (01.08.2013).

⁹⁵ Anne Orford, **International Authority and the Responsibility to Protect**, Cambridge University Press, New York, 2011, p.16.

defense (UN Charter Art.51) and in cases of the UN-authorized military enterprises (UN Charter Chapter VII).⁹⁶ However, Stephen Krasner argued in his “organized hypocrisy” that the norm of sovereignty has been violated since the Westphalia Treaty by the states that announced their loyalty to non-intervention but not implemented it in practice.⁹⁷ Just a few examples from the Cold War such as the Soviet Union’s military interventions in the former Czechoslovakia in 1968 and in Afghanistan in 1971, US interventions in the Dominican Republic in 1965 and Grenada in 1983 and India’s military intervention in Bangladesh in 1971 and Tanzania’s intervention in 1979 corroborate Krasner’s argument that the sovereignty of states has never been absolute in real world politics.⁹⁸ However, despite the failure of its implementation in every case, the principle of sovereignty has been so embedded in the international system that any attempt to underestimate or reconstruct it creates reactions. The reactions of developing countries can be proof of this skeptical attitude; for instance, the Algerian President mirrored the perspectives of most developing states when he stated at the UN’s 1999 General Debate: “We remain extremely sensitive to any undermining of our sovereignty...because sovereignty is our final defense against the rules of an unequal world...”⁹⁹

Even though the ICISS has attempted to shift the terminology from ‘sovereignty as authority’ to ‘sovereignty as responsibility’, it has also acknowledged the importance of sovereignty of states due to its deep roots in the international system. Thus, the ICISS has pointed out that the R2P doctrine is based on “the principles inherent in the concept of sovereignty...”¹⁰⁰ Moreover; the report confirms the nonintervention principle by stating “nonintervention...is the norm from which any departure must be justified... (and) exceptions to the principle of nonintervention should be limited.”¹⁰¹ It points out that the responsibility to protect should be enacted where the state fails to fulfill its sovereign responsibilities such as protecting its

⁹⁶ “Chapter VII: Action with Respect to Threats to The Peace, Breaches of the Peace, and Acts of Aggression”, **Charter of the United Nations**, <http://www.un.org/en/documents/charter/chapter7.shtml>, (01.08.2013).

⁹⁷ Stephan D. Krasner, **Sovereignty: Organized Hypocrisy**, Princeton University Press, Chichester, 1999, pp. 8-9.

⁹⁸ Badescu, p. 22.

⁹⁹ Thomas G. Weiss, “R2P After 9/11 and The World Summit”, **Winconsin International Law Journal**, Vol.24, No.3, p. 748.

¹⁰⁰ International Commission on Intervention and State Sovereignty, p. 12.

¹⁰¹ International Commission on Intervention and State Sovereignty, pp. 31-32.

citizens. In this regard the ICISS report transformed sovereignty from its sacrosanct character to an accountable one.¹⁰² The Secretary General's report on "Implementing the Responsibility to Protect" paid also attention to this sensitivity on sovereignty, in which Annan said that R2P "is an ally of sovereignty, not an adversary".¹⁰³ Gareth Evans explains the main objective of the ICISS as strengthening the functionality of the Security Council rather than finding a legal substitute to it.¹⁰⁴

The doctrine of R2P that was introduced by the ICISS was unanimously adopted at the UN's 2005 World Summit following the negotiations between the UN members and non-governmental organizations. It is worth to note that the adopted version of the R2P was different from the original ICISS version of the R2P, which met with opposition from the SC members. According to Anne Orford, this opposition to the R2P reflected the reluctance of 'states with major force capabilities' to let international organizations to decide about the appropriate time and conditions for the deployment of their forces.¹⁰⁵ During the debates in the UN General Assembly in April 2005, the Russian representative did not accept endorsement of the R2P by arguing "strictly speaking, the establishment of an international norm presupposes that there is wide support within the international community for such a norm. However, this is not the case here."¹⁰⁶ Furthermore, Russian diplomats warned that the R2P doctrine would increase unilateral interventions and thus weaken the entire system of the UN Charter while the Chinese representatives claimed that the use of force had to be submitted to the authority of the Security Council.¹⁰⁷ China and Russia stated that they would accept the R2P doctrine on the condition that military interventions would be carried out with the Security Council's

¹⁰² Badescu, p. 41.

¹⁰³ "Implementing the responsibility to protect : report of the Secretary-General", **United Nations General Assembly**, 12.01.2009, <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?docid=4989924d2>, (01.08.21013).

¹⁰⁴ Gareth Evans, "The Responsibility to Protect", p. 19.

¹⁰⁵ Orford, p. 24.

¹⁰⁶ Carlo Focarelli, "The Responsibility to Protect Doctrine and Humanitarian Intervention: Too Many Ambiguities for a Working Doctrine", **Journal of Conflict and Security Law**, Vol. 13, No.2, 2008, p. 204

¹⁰⁷ Alex J. Bellamy, "Realizing the Responsibility to Protect", **International Studies Perspectives**, Vol. 10, No. 2, 2009, p. 112.

approval.¹⁰⁸ The US representative to the UN, John Bolton also expressed the opposition of the US government by stating ‘a determination as to what particular measures to adopt in specific cases cannot be predetermined in the abstract but should remain a decision within the purview of the Security Council’.¹⁰⁹ The US government also rejected any legal obligation for the R2P cases; the US representative said that “[t]he Charter has never been interpreted as creating legal obligation for Security Council members to support enforcement action in various cases involving serious breaches of international peace”.¹¹⁰ On the other hand, during the Security Council meeting in 2005, the French representative gave support to the R2P, claiming that the head of governments of the Security Council had already been in agreement for referring to this norm.¹¹¹ During the same meeting, the UK representative also supported the responsibility to protect by emphasizing the need to cooperate for “prevention, protection, humanitarian access and impunity”.¹¹² Earlier in 2001, the British Prime Minister Tony Blair had already emphasized the importance of the R2P by stating “if Rwanda happens again we would not walk away as the outside has done many times before” and stressing the “moral duty” of the international society to deliver humanitarian assistance to Africa when it was required.¹¹³ The R2P criteria of the ICISS too were not welcomed by the UNSC members. The United States did not want to commit itself to deploy its military forces to the areas in which it had no national interests and did not want to be restricted by these criteria.¹¹⁴ Even the United Kingdom and France expressed their reservations that they were not sure whether the criteria would create political will and agreement.¹¹⁵ The Permanent representative of the United States to the United Nations, John Bolton, rejected any legal obligation of the international community by

¹⁰⁸ Ian Williams, “Writing the Wrongs of Past Interventions: A Review of the International Committee on Intervention and State Sovereignty”, **The International Journal of Human Rights**, Vol. 6, No. 2, 2002, p. 103.

¹⁰⁹ John R. Bolton, “Letter to UN Member States”, **International Coalition for the Responsibility to Protect**, 30.08.2005, [http://responsibilitytoprotect.org/files/US_Boltonletter_R2P_30Aug05\[1\].pdf](http://responsibilitytoprotect.org/files/US_Boltonletter_R2P_30Aug05[1].pdf), (01.08.2013).

¹¹⁰ Focarelli, p. 204.

¹¹¹ United Nations Security Council 5319th Meeting, S/PV. 5319, 09. 12.2005, <http://unispal.un.org/UNISPAL.NSF/0/80DA98A7FE23F5FB852570D5005D9D1D>, (01.08.2013).

¹¹² United Nations Security Council 5319th Meeting, S/PV. 5319, 09. 12.2005

¹¹³ “Blair promises to stand by Africa”, **BBC News**, 02.10.2001, <http://news.bbc.co.uk/2/hi/africa/1575428.stm>, (01.08.2013).

¹¹⁴ Welsh, p.180

¹¹⁵ Welsh, p.204.

stating “[t]he international community has a responsibility to act when the host state allows such atrocities. But the responsibility of the other countries in the international community is not of the same character as the responsibility of the host ... We do not accept that neither the United Nations as a whole, nor the Security Council, or individual states, have an obligation to intervene under international law.”¹¹⁶ Under these circumstances, following long negotiations, the 2005 World Summit transformed the ICISS Report’s R2P to the one that five permanent members agreed upon which will be explained below. Given the fact that R2P of the ICISS was open to intervention without any authorization by the Security Council, some revisions in the doctrine can be expected for reaching consensus among world leaders.¹¹⁷

The UN General Assembly unanimously accepted the principle of “Responsibility to Protect” (R2P), which was revised by the 2005 World Summit.¹¹⁸ The R2P is written as a “protection clause” in the 2005 World Summit Outcome Document, and these provisions were reaffirmed by the Security Council by Resolution 1674 (28 April 2006) and Resolution 1706 (31 August 2006).¹¹⁹ In this way, for the first time, the concept of the R2P was included in a legal document (the “protection clause” in contrast to the unwritten concept of humanitarian intervention).¹²⁰ In order to understand the differences between the R2P principle of the 2005 World Summit and the R2P doctrine of ICISS, one needs to refer to paragraphs 138 and 139 of the 2005 World Summit Outcome Document:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The

¹¹⁶ Anne Peters, “The Security Council’s Responsibility to Protect”, **International Organizations Law Review**, Vol. 8, No. 1, 2011, p. 11.

¹¹⁷ Bellamy, “The Problem of Military Intervention”, p. 622.

¹¹⁸ “2005 World Summit Outcome”, **UN Fact Sheet**, 14-16.09.2005., http://www.un.org/summit2005/presskit/fact_sheet.pdf, (01.08.2013).

¹¹⁹ “General Assembly Resolution, A/Res/60/1”, **United Nations**, 24.10.2005, http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/60/1, (01.08.2013).

S/Res/1674 (2006), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/331/99/PDF/N0633199.pdf?OpenElement>, (01.08.2013).

S/Res/ 1706 (2006), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/484/64/PDF/N0648464.pdf?OpenElement>, (01.08.2013).

¹²⁰ Gierycz, p. 114.

international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared 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 are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.
¹²¹

These two paragraphs can be summarized as follows. Firstly, all states accept that they are responsible for protecting their populations from ‘genocide, war crimes, and crimes against humanity and ethnic cleansing’. They are in agreement on taking collective action when the host states are “manifestly failing” in protecting their citizens. When such failure occurs, then the Security Council steps in to decide about collective action with the cooperation of the UN General Assembly and ‘relevant regional organizations’. Furthermore, the collective action is decided on a “case-by-case” basis, which implies the absence of any standard for “threshold” criteria of the ICISS.¹²² Moreover, this new R2P does not include any criteria for the best time to undertake military intervention and there is not any restriction about the use of veto by the SC members; in addition to these, it does not mention about military measures without any Security Council authorization.¹²³ However, despite these deficiencies, Bellamy states that the 2005 World Summit illuminated the doctrine’s extent, which covers the cases of genocide, war crimes, crimes against humanity and ethnic cleansing.¹²⁴

¹²¹ “General Assembly Resolution, A/Res/60/1”

¹²² “General Assembly Resolution, A/ 63/677”, **United Nations**, 12.01.2009, <http://unispal.un.org/UNISPAL.NSF/0/EEF9DE1F698AA70D8525755100631D7C>, (01.08.2013).

¹²³ Bellamy, “The Problem of Military Intervention”, p.623.

¹²⁴ Bellamy, “The Problem of Military Intervention”, p. 623.

After the 2005 United Nations World Summit, Western governments started to address the R2P in their political discourses. The Security Council referred to the R2P when dealing with Darfur in 2005 while Kofi Annan and Ban Ki-Moon deployed the R2P for diplomatic attempts to resolve the conflict during the post-election period in Kenya.¹²⁵ The US administration emphasized the importance of the R2P in protecting civilians in cases of genocide, war crimes, ethnic cleansing and crime against humanity.¹²⁶ The UN Secretary General Ban Ki-Moon also stated his support saying he will “spare no effort to operationalize the responsibility to protect”.¹²⁷ He added that it was their duty to turn R2P “from word into deeds” during his Secretary-Generalship.¹²⁸ Moreover, in 2007, the UK British Prime Minister Gordon Brown acknowledged that “we now rightly recognize our responsibility to protect behind borders where there are crimes against humanity.”¹²⁹ The international discourse on the conflicts in Darfur, the eastern region of the Democratic Republic of Congo (DRC), Kenya, Sri Lanka and Guinea has all involved the language of R2P even though the principle was not implemented properly.¹³⁰

Since the UN failed to protect people in these incidents, the Secretary General emphasized three major deficiencies of the R2P, which are “capacity, imagination and will.”¹³¹ The Report of the Secretary General regarding the “Implementing the Responsibility to Protect” (January 2009) presents ‘three-pillar strategy’ for effective protection of populations. As the World Summit Outcome states, the first pillar are that states have the responsibility to protect its people from conscious-shocking situations. In this sense, the Secretary General acknowledges the concept of “sovereignty as the responsibility”. Pillar two is the “international

¹²⁵ Roger Cohen, “African Genocide Averted”, **The New York Times**, 03.03.2008, http://www.nytimes.com/2008/03/03/opinion/03cohen.html?_r=0, (01.08.2013).

¹²⁶ Orford, p. 17

¹²⁷ Orford, p.17.

¹²⁸ Ban Ki-moon, “Address to the 62nd General Assembly: ‘A Stronger UN for a Better World’”, **United Nations**, 25.09.2007, http://www.un.org/sg/selected-speeches/statement_full.asp?statID=122, (01.08.2013).

¹²⁹ Orford, p. 18

¹³⁰ Badescu, p. 136.

¹³¹ “UN General Assembly Debate on Implementing the Responsibility to Protect, 2009”, **Global Center for the Responsibility to Protect**, 18.10.2012, <http://www.globalr2p.org/resources/343>, (01.08.2013).

assistance and capacity building” via the role of member states, regional organizations, civil society and the private sector. As the third pillar, “timely and decisive response” consists of both pacific and coercive tools, and should be authorized by the Security Council when the state “manifestly fails” to stop mass atrocities.¹³²

The United Nations General Assembly debate on the R2P, which was held on 23 July 2009 following the report of the Secretary General, can provide an insight about the recent perspectives of the UNSC permanent members. The Chinese delegation Ambassador Liu Zhenmin argued that the Chinese administration, while welcoming the new concept, reminded that the R2P had to conform to “the principle of state sovereignty and the principle of non-interference of internal affairs.”¹³³ Furthermore, China emphasized the need for R2P actions to be undertaken in line with the UN Charter as well as to pay respect to the governments and regional actors that are parties to the conflict. Also, the Chinese delegation did not accept the R2P as a rule of international law, thus rejecting its use as a tool of diplomatic pressure by the powerful states.¹³⁴ The Russian Federation’s delegation emphasized the need for “comprehensive work” on this new concept and pointed out that the main responsibility had to be on the shoulders of states. According to Russia, when a state manifestly failed to protect its people, then the intervention of the international community had to be compatible with the UN Charter and be considered as an “exceptional nature”. Even though Russia supported the notion of R2P, it argued that its consolidation required circumstances that could transform the R2P into an enforceable mechanism through supportive institutions.¹³⁵ As the R2P doctrine of the ICISS has changed into what the Permanent Five agreed on, the US adopted a more

¹³² “Implementing the responsibility to protect”, **United Nations General Assembly-Report of the Secretary-General**, 12.01.2009,

http://www.globalr2p.org/media/files/implementing_the_responsibility_to_protect.pdf, (01.08.2013).

¹³³ “Statement by Ambassador Liu Zhenmin At the Plenary session of the General Assembly on the Question of ‘Responsibility to Protect’”, **Global Center for the Responsibility to Protect**, 24.07.2009, <http://www.globalr2p.org/media/files/china-2009-r2p-debate.pdf>, (01.08.2013).

¹³⁴ “Statement by Ambassador Liu Zhenmin At the Plenary session of the General Assembly on the Question of ‘Responsibility to Protect’”, **Global Center for the Responsibility to Protect**.

¹³⁵ “Russian – Statement at the July 2009 GA Debate on R2P”, **Global Center for the Responsibility to Protect**, 24.07.2009, <http://www.globalr2p.org/media/files/russia-2009-r2p-debate.pdf>, (01.08.2013).

favorable position about it; during the same meeting, the US Ambassador Rosemary A. DiCarlo expressed her support to the R2P concept that she regarded as a supplement to the principles of international humanitarian law. DiCarlo said that when a state failed to react to mass atrocities, the international community had to step in to take collective measures, but “only rarely, and in extremis, would these include the use of force”. Furthermore, DiCarlo admitted that the most important barrier to take action in the face of mass savagery was “the lack of political will.”¹³⁶ On the other hand, the UK delegate regarded the R2P as one of the most significant aspects of the World Summit Outcome and stated that it was time to move towards from theory to action. Furthermore, he acknowledged that the international community had to react to humanitarian cases in terms of their own peculiar conditions. For the UK, the role of the regional powers and the early warning mechanism in the international intervention should be important and preventive measures had to be taken to halt the violence. Also, the UK delegate pointed out the need for the development of “an R2P-culture” to be able to respond to the crisis in appropriate time by using more effective tools.¹³⁷ Similarly, the French delegate regarded the R2P as compatible with the international humanitarian law and the UN Charter. According to him, the R2P concept was already endorsed and the primary task was now to put it into action. He underlined that the first step to prevent the mass atrocities was “nations’ respect for human rights law, international humanitarian law and refugee law.” If that failed, he said, France sincerely supported the R2P: “France will be fully involved in this daily effort, whether through bilateral action with its partners, in its development policy, or as a member state of regional and international organizations”.¹³⁸

¹³⁶ “Remarks by Ambassador Rosemary A. DiCarlo, U.S. Alternate Representative for Special Political Affairs, at a General Assembly Debate on the Responsibility to Protect, in the General Assembly Hall”, **U.S. Mission to the United Nations in New York**, 23.07.2009, <http://www.globalr2p.org/media/files/united-states-2009-r2p-debate.pdf>, (01.08.2009).

¹³⁷ “Draft Statement for UNGA debate on R2P”, **Global Center for the Responsibility to Protect**, 24.07.2009, <http://www.globalr2p.org/media/files/united-kingdom-2009-r2p-debate.pdf>, (01.08.2013).

¹³⁸ “Speech delivered by Mr. Jean-Pierre LACROIX, Charge d’Affaire a.i., Permanent Mission of France to the United Nations”, **Global Center for the Responsibility to Protect**, 23.07.2013, <http://www.globalr2p.org/media/files/france-2009-r2p-debate.pdf>, (01.08.2013).

Despite the supportive discourses of the SC members, the doctrine of R2P has not been immune from the criticisms. Regarding academic debates about R2P, many writers have argued that R2P would increase non-consensual intervention without the authorization of the UN Security Council.¹³⁹ According to Thomas Weiss, the anxiety about the notion of the R2P was result of the unilateral intervention of the US in Iraq without any Security Council authorization in 2003.¹⁴⁰ In this sense, the R2P is seen as “Trojan Horse” for non-consensual intervention for furthering the national interests of some states.¹⁴¹ Furthermore, even though Alex Bellamy is a strong proponent of the norm, he is concerned about the ineffectiveness of R2P in Security Council decision-making and its identification with the use of force.¹⁴² According to Dorota Gierycz, this norm has not created any significant change in the practices of states, since the Security Council did not consider it in the cases of Sudan, Sri Lanka, Myanmar, Zimbabwe and Democratic Republic of Congo (DRC).¹⁴³ As an important opponent of the humanitarian intervention, Mohammed Ayoob is strictly opposed to the idea of R2P since he sees it as the neo-colonial practices of great powers within the territories of weak states.¹⁴⁴ There are also others that are displeased with the case-by-case basis of R2P, which, according to them, would increase selective and arbitrary attitudes of the SC members.¹⁴⁵ Some skeptic scholars warn that the new term does not provide a solution to overcome the problem of reluctant political leaders or does not guarantee change in state practices regarding humanitarian intervention. For instance, Walter Dorn criticized the ICISS for failing to make the Just War tradition of St. Augustine compatible with practical implementation in contemporary cases.¹⁴⁶ Moreover, some observers note that the doctrine of R2P is

¹³⁹ Alicia L. Bannon, “The Responsibility to Protect: the U.N. World Summit and the Question of Unilateralism”, **The Yale Law Journal**, Vol. 115, No 5, 2006, p. 1158.

¹⁴⁰ Weiss, p. 748.

¹⁴¹ Alex J. Bellamy, “Responsibility to Protect or Trojan Horse? The Crisis in Darfur and Humanitarian Intervention after Iraq”, **Ethics & International Affairs**, Vol.19, No.2, 2005, p.32.

¹⁴² Bellamy, “The Problem of Military Intervention”, pp.615-639.

¹⁴³ Gierycz, p. 114.

¹⁴⁴ Ayoob, p. 81.

¹⁴⁵ S. Neil Macfarlane, Carolin J. Thielking and Thomas G. Weiss, “The Responsibility to Protect: Is anyone interested in humanitarian intervention?”, **Third World Quarterly**, Vol.25, No.5, 2004, p. 979.

¹⁴⁶ Erika Simpson, “The Responsibility to Protect: A Seminar on the Report of the International Commission on Intervention and State Sovereignty”, **Science for Peace**, 2002, <http://www.scienceforpeace.ca/intervention-and-sovereignty>, (01.08.2013), p.4

based on the rhetoric of liberal internationalists; thus, achieving universal consensus on this doctrine has a slight chance.¹⁴⁷

In addition to academic debates about the R2P doctrine, there has been debate on whether the R2P is close to being a norm that shapes the behavior and preferences of states.¹⁴⁸ According to Jock Finlayson and Mark Zacher, norms are composed of “standards of behavior defined in terms of rights and obligations”.¹⁴⁹ Given the disjuncture between the rhetoric and policies of the UNSC members concerning the R2P, it can be argued that the R2P doctrine is a ‘political catchword’ rather than a legally binding norm.¹⁵⁰ In order to have normative influence, the R2P has to be binding on states; however, according to many lawyers, this doctrine does not oblige states to fulfill responsibilities to protect populations.¹⁵¹ However, there have been important developments on the road of the R2P to become an international norm. The adoption of the R2P in the Summit Outcome Document has given a normative aspect to the R2P since it was accepted in a universal forum.¹⁵² The SC Resolution 1674 which was adopted on 28 April 2006 also increased the normative power of the R2P since it confirmed “the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity”.¹⁵³ The UN Secretary General’s report, “Implementing the Responsibility to Protect” (2009), also contributed to the normative status of the R2P in theoretical terms.¹⁵⁴ However, as in the case of the evolution of many other international norms, the R2P has not gained legal binding power since its existence as such is dependent on the political will of

¹⁴⁷ Macfarlane et al., p. 981.

¹⁴⁸ Ann Florini, “The Evolution of International Norms”, **International Studies Quarterly**, Vol.40, 1999, p.364.

¹⁴⁹ Jock A. Finlayson and Mark W. Zacher, “the GATT and the regulation of trade barriers: regime dynamics and functions”, **International Regimes**, ed. Stephen D. Krasner, Cornell University Press, New York, 1983, p.276.

¹⁵⁰ Carsten Stahn, “Responsibility to Protect: Political Rhetoric or Emerging Legal Norm?”, **The American Society of International Law**, Vol.101, No.1, 2007, p. 120.

¹⁵¹ Orford, p. 23; Focarelli, , p.191. ; Anne Peters “Humanity as the A and Ω of Sovereignty”, **The European Journal of International Law**, Vol.20, No.3, 2009, p.540-544.

¹⁵² Badescu, p. 106.

¹⁵³ S/Res/1674 (2006) **United Nations Security Council**.

¹⁵⁴ “Implementing the responsibility to protect : report of the Secretary-General”, **United Nations General Assembly**

states.¹⁵⁵ More importantly, Cristina Badescu argues that having legally binding power is not sine qua non element for its adequate implementation, because international norms should be evaluated in political framework instead of legal one. Thus, the implementation of the R2P doctrine in international crises is based on the political initiatives of the UNSC members.¹⁵⁶

¹⁵⁵ Badescu, p. 134.

¹⁵⁶ Badescu, p. 135.

CHAPTER 2

THE ATTITUDES OF THE UN SECURITY COUNCIL PERMANENT MEMBERS TOWARD HUMANITARIAN CRISES BEFORE ADOPTION OF THE R2P DOCTRINE

In order to understand the novelties which have been created by the R2P doctrine, it is significant compare behaviors of the Permanent Five in humanitarian cases both before and after the adoption of the R2P doctrine. In this regard, this chapter analyzes the conflict in Rwanda, Bosnia and Kosovo and attitudes of the UNSC permanent members toward them.

2.1. THE CONFLICT IN RWANDA

The Rwandan genocide has been regarded as one of the most deliberate failures of humanitarian intervention practices of the United Nations. This failure demonstrates that national interests of UNSC members are superior to the solidarist understanding of international community. In order to understand the importance of Rwandan crisis, a brief explanation about the background of this massacre is required. Until the genocide of 1994, Rwanda's population had consisted of 7.7 million persons: 84 percent Hutu, 15 percent Tutsi and one percent Twa. During the Belgian colonial rule following the WWI, differences between Hutu and Tutsi were overstressed and institutionalized in order to enable the administration of Rwandan government.¹⁵⁷ Under the Belgian trusteeship, the Tutsis held power and influence in the country which was supported by the Belgians.¹⁵⁸ Hutu population revolted against Belgium and finally won their freedom in 1962. However they started to massacre thousands of Tutsis whom they viewed as oppressor and violator of Hutu population's rights.¹⁵⁹ In 1973, coup d'état of Juvénal Habyarimana, who belonged to Hutu ethnic origin, stopped massacres of Tutsis for a time. However, authoritarian policies of the new government considerably

¹⁵⁷ Carol McQueen, **Humanitarian Intervention and Safety Zones: Iraq, Bosnia and Rwanda**, Palgrave Macmillan, London, 2005, p. 97.

¹⁵⁸ D.R.L. Ludlow, "Humanitarian Intervention and the Rwanda Genocide", **The Journal of Conflict Studies**, Vol. 19, No.1, 1999, p.7.

¹⁵⁹ Christopher Clapham, "The Rwanda: The Perils of Peacemaking", **Journal of Peace Research**, Vol. 35, No.2, 1998, p.198.

marginalized Tutsis in the country¹⁶⁰, since the government failed to make a compromise with Tutsis.¹⁶¹ Forced migration of the English-speaking Tutsis to Uganda and Burundi along with other authoritarian policies of the government led to the formation of Rwandan Patriotic Front (RPF) by Tutsis in 1987, which aimed to assist exiled citizens to return and establish national government based on equality of two ethnic groups.¹⁶² In October 1990, RPF was organized in Uganda and attempted to invade Rwanda.¹⁶³ During the 1990s, combination of pressure of RPF and the international community's insistence on "good governance" forced the Rwandan government to take steps toward democratization and liberalization.¹⁶⁴ As a result, on 4 August 1993, the government of Rwanda and the RPF signed the Arusha Peace Agreement, reaching consensus under the supervision of Neutral International Force (NIF) of the United Nations.¹⁶⁵ The Arusha Agreement presupposed the end of the civil war and establishment of new-power sharing political structure based on ethnic plurality.¹⁶⁶ On 5 October 1993, with Resolution 872, UNSC established the United Nations Mission for Rwanda (UNAMIR) as a peacekeeping force under Chapter VI of the UN Charter and mainly aimed to monitor the implementation of the Arusha Agreement.¹⁶⁷ Even though the Security Council accepted to support peacekeeping mission to Rwanda to supervise the appropriate implementation of the Arusha Agreement, its unwillingness to undertake this role was early indicator of its late response to Rwandan genocide.¹⁶⁸ On 6 April 1994, the presidential plane carrying Hutu President Habyarimana was shot down and this was the starting point of genocide in 1994.¹⁶⁹ In addition to this, RTLM (Radio Télévision Libre des Mille Collines) played an important role in provoking Hutus to murder Tutsis for revenging the death of

¹⁶⁰ Linda Melvern, **A People Betrayed: The Role of the West in Rwanda's Genocide**, Zed Books, New York, 2000, p. 25.

¹⁶¹ McQueen, p.98.

¹⁶² Ludlow, p. 7.

¹⁶³ Clapham, p. 198.

¹⁶⁴ McQueen, p. 99.

¹⁶⁵ "Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda", **United Nations**, 15.12.1999, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/395/47/IMG/N9939547.pdf?OpenElement>, (04.08.2013). p.6.

¹⁶⁶ Aidan Hehir, **Humanitarian Intervention: Introduction**, Palgrave Macmillian, London, 2010, p. 181.

¹⁶⁷ S/RES/872 (1993), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/540/63/PDF/N9354063.pdf?OpenElement>, (07.08.2013).

¹⁶⁸ McQueen p. 101.

¹⁶⁹ "Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda", **United Nations**, p. 15.

Habyarimana.¹⁷⁰ Killings spread from Kigali to the rest of the country after 21 April 1994, when the ineffectiveness of the UN to stop the massacre was obvious.¹⁷¹ From April to July 1994, Hutu extremists who gained the power in the Rwandan government massacred between 500,000 and 800,000 persons, generally Tutsis and politically moderate Hutus.¹⁷²

The international community under the umbrella of the United Nations was unable and unwilling to halt the genocide in Rwanda throughout April and May 1994.¹⁷³ Prunier identified international reaction to genocide as ‘mixture of realpolitik, humanitarian self-satisfaction, half-baked ideology, stale imperialism, and economic blackmail’.¹⁷⁴ According to Neil Fenton, some UNSC members even argued that Rwanda crisis could be solved by Rwandan people themselves, emphasizing the “norm of non-intervention”.¹⁷⁵ The international community’s first responses to Rwandan crisis were “evacuation of foreign nationals and the reduction in size of UNAMIR.”¹⁷⁶ Michael Barnett who was a US diplomat at the UN at this time explained disinterest of UNSC member states by stating that even though there “was a brief discussion about the possibility of UNAMIR intervening to halt the escalating of violence, ‘I was (and still am) unaware of a single member state who offered their troops for such an operation... the Secretariat, who would be responsible for carrying out the mandate, was silent, and silence was widely interpreted as disapproval.”¹⁷⁷ As a calculated strategy of extremists to weaken UNAMIR, on 7 April 1994 ten Belgian UNAMIR peacekeepers were killed by the Presidential Guard.¹⁷⁸ Following these murders, Belgium withdrew its soldiers from UNAMIR and this further undermined the capacity of UNAMIR.¹⁷⁹ On the same day, when the Rwandan Armed Forces (FAR) and Hutu militia were killing

¹⁷⁰ Helen M. Hintjens, “Explaining the 1994 Genocide in Rwanda”, **The Journal of Modern African Studies**, Vol.37, No.2, 1999, p. 268.

¹⁷¹ McQueen, pp. 103-104.

¹⁷² McQueen, p. 96.

¹⁷³ Hintjens, p. 273.

¹⁷⁴ Gerard Prunier, **The Rwanda Crisis: History of a Genocide**, Columbia University Press, New York, 1995, p. 341.

¹⁷⁵ Neil Fenton, **Understanding the UN Security Council: Coercion or Consent?**, Ashgate Publishing Limited, Hampshire, 2004, p. 136.

¹⁷⁶ McQueen, p. 103.

¹⁷⁷ Michael N. Barnett, “The UN Security Council, Indifference, and Genocide in Rwanda”, **Cultural Anthropology**, Vol.12, No.4, 1997, p. 559.

¹⁷⁸ Hehir, p. 186.

¹⁷⁹ McQueen, p. 103.

thousands of Tutsis and moderate Hutu politicians, UNAMIR forces just stood by due to their “monitoring” mandate. Unfortunately, the President Clinton reacted to this situation only by stating his condemnation and condolences.¹⁸⁰ Under those circumstances, the Secretary-General introduced three options for the fate of UNAMIR, which were reinforcement of UNAMIR; reducing the size of UNAMIR; and total withdrawal of UNAMIR.¹⁸¹ Among these options, the Security Council preferred the second one with Resolution 912 of 21 April 1994 and reduced UNAMIR’s size from 2,500 to 270 soldiers. In the meantime, the annihilation of Tutsis started to have wide media coverage and people around the world started to comprehend the tragedy in Rwanda. Furthermore, New Zealand as the-then Council President insisted along with Czechoslovakia on severer UN action in order to stop the human catastrophe.¹⁸² Non-governmental organizations and UN officials in Kigali continuously sent reports to the Secretary General about systematic elimination of Tutsis.¹⁸³ Under these circumstances, on 17 May 1994, the Security Council decided to authorize the expansion of UNAMIR to 5,500 troops and the revision of its mandate to the establishment of secure humanitarian areas (SHAs) with Resolution 918.¹⁸⁴ The establishment of SHAs was intended for maintaining security for civil and displaced persons in Rwanda.¹⁸⁵ However, this decision of the Security Council, as Michael Barnett argues, was ‘merely symbolic and highly impractical’,¹⁸⁶ since UNAMIR II was not able to find equipped troops until August and when it was prepared, the genocide was already over and SHAs were no longer required.¹⁸⁷ On 31 May 1994, the Secretary-General, Boutros Boutros-Ghali confessed:

We must all recognize that . . . we have failed in our response to the agony of Rwanda, and thus have acquiesced in the continued loss of human life. Our readiness and capacity for action has been demonstrated to be inadequate at

¹⁸⁰ “The Triumph of Evil: 100 days of slaughter, A Chronology of U.S/ U.N. Actions”, **PBS Frontline**, <http://www.pbs.org/wgbh/pages/frontline/shows/evil/etc/slaughter.html>, (04.08.2013).

¹⁸¹ McQueen, p. 104.

¹⁸² Barnett, p.572.

¹⁸³ Wheeler, *Saving Strangers*, p. 225.

¹⁸⁴ S/RES/918 (1994), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/190/85/PDF/N9419085.pdf?OpenElement>, (07.08.2013).

¹⁸⁵ McQueen, p. 117.

¹⁸⁶ Barnett, p. 560.

¹⁸⁷ McQueen, pp. 103-104.

*best, and deplorable at worst, owing to the absence of the collective political will.*¹⁸⁸

According to an independent report, the main reasons behind inaction of the UN were the lack of political will and the strategic interests of UN Security Council members.¹⁸⁹ The discourses and excuses of the UNSC members reveal that even though their intelligence knew what was happening in Rwanda, they preferred to stay out of this catastrophe for a long time. Uwe Friesche as a reporter of the Defense Team in the Ntagerura Case (International Criminal Tribunal for Rwanda) expressed that the US, British, French and Belgian governments were informed about the massacres in Rwanda.¹⁹⁰ Since no government was willing to take the responsibility of military intervention in Rwanda, there was long deliberation in the UN and eventually the French government sent its own interventionist forces into Rwanda, which are known as Operation Turquoise.¹⁹¹ According to Peter Jakobsen, perception of national interests and the impact of media, referred also as the “CNN effect”, determined the UN involvement in humanitarian operations.¹⁹² Since strategic interests of UNSC members play important role in arriving at a decision of humanitarian intervention, the decision of inaction in Rwandan genocide was strictly related with a lack of strategic interests of UNSC members. For instance, when compared to the Bosnian and Iraqi cases the refugee problem resulting from Rwandan genocide did not negatively influence Europe and North America.¹⁹³ According to one article published in *New York Times*, Rwanda was “globally insignificant” for Western states since it was not rich in terms of oil reservoirs or other underground resources.¹⁹⁴

¹⁸⁸ L. Holzgrefe, “The Humanitarian Intervention Debate” in **Humanitarian Intervention: Ethical, Legal, and Political Dilemmas**, eds. J.L.Holzgrefe and Robert Keohane, Cambridge University Press, Cambridge, 2003, p.17.

¹⁸⁹ “Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda”, **United Nations**, p. 3.

¹⁹⁰ John Janzekovic, **The Use of Force in Humanitarian Intervention: Morality and Practicalities**, Ashgate Publishing Limited, Hampshire, 2006, pp. 132-133.

¹⁹¹ Janzekovic, pp. 132-133.

¹⁹² Ludlow, p. 10.

¹⁹³ McQueen, p. 106-107.

¹⁹⁴ Elaine Sciolino, “For West, Rwanda is Not Worth the Political Candle”, **The New York Times**, 15.04.1999, <http://www.nytimes.com/1994/04/15/world/for-west-rwanda-is-not-worth-the-political-candle.html?src=pm>, (04.08.2013).

2.1.1. The United States

It can be argued that the decline of American interests in Sub-Saharan Africa following the end of the Cold War prevented the US from playing an active role in implementing the Arusha peace process and from contributing troops to UNAMIR.¹⁹⁵ Another reason of the U.S. reluctance to get involved was that when the genocide broke out in Rwanda, the U.S. had just withdrawn its soldiers from Somalia on 31 March 1994. Thus, Clinton administration believed that both public opinion and Congress would support the U.S. decision of inaction in Rwanda.¹⁹⁶ As an indicator of the unwillingness of the U.S., Bill Clinton ordered to remove Rwanda from the Pentagon list of potential trouble spots in 1993; the justification of Clinton was lack of American interests in Rwanda.¹⁹⁷ During the informal meetings of the Security Council, the US objected to the reinforcement of UNAMIR, since the government thought that there was no role for peacekeepers in Rwanda.¹⁹⁸ On 25 May 1994, the US President Bill Clinton explicitly argued that “the USA had no vital interests in Rwanda and that US military personnel could not be sent to every trouble spot where Americans were 'offended by human misery’”.¹⁹⁹ The U.S. administration expressed its position during the UNSC meetings; for instance on 5 October 1993, the United States representative stated that the US government was concerned with increasing expenditure of manpower and financial resources of the UN, thus it supported to reduce the costs and levels of the UNAMIR (the Resolution 872).²⁰⁰ Presidential Decision Directive (PDD) 25 under the Clinton administration, which was accepted in 1994, also aimed to limit the US participation in UN peacekeeping unless its national interests were at stake.²⁰¹ The main intention of PDD was to bring selectivity and effectiveness criteria to the US and UN

¹⁹⁵ McQueen, p. 105.

¹⁹⁶ McQueen, pp. 106-107.

¹⁹⁷ “Interview with James Wood”, **PBS Frontline**, <http://www.pbs.org/wgbh/pages/frontline/shows/evil/interviews/woods.html>, (04.08.2013).

¹⁹⁸ Melvern, p. 163.

¹⁹⁹ Wheeler, *Saving Strangers*, p.228.

²⁰⁰ “United Nations Security Council 3288th Meeting”, **United Nations Security Council**, 05.10.1993.

²⁰¹ Steven Livingstone and Todd Eachus, “Rwanda: U.S. Policy and Television Coverage”, in **The Path of a Genocide: Rwanda Crisis from Uganda to Zaire**, eds. Howard Adelman and Astri Suhrke, Transaction Publishers, New Jersey, 2000, p. 209.

humanitarian intervention.²⁰² Rwanda was the first UN military operation to clash with this presidential directive.²⁰³ Due to all of these reasons, the US was the only state to insist for the complete and total withdrawal of UNAMIR during the informal meetings of the Security Council.²⁰⁴ As a superpower, America's reluctance to deal with the Rwandan crisis undermined the capacity of the UN to respond to genocide.²⁰⁵ Even though the US, the UK and others were not interested in intervening militarily in Rwanda, they applied a kind of subterfuge in order to pretend not to be seen indifferent to the crisis.²⁰⁶

According to *the Guardian*, the Clinton administration knew about the genocide in Rwanda, but it ignored the information in order to justify inaction. National Security adviser, Antony Lake confessed that "For me, for the president, for most of us at senior levels, it never became a serious issue".²⁰⁷ One of the press conferences given by Anthony Lake revealed that the US government thought in relation to the Rwandan genocide that it could not be expected to solve all the problems throughout the world and that the international community had to be selective in their involvement in the crisis.²⁰⁸ The US failure to stop the genocide in Rwanda clearly showed Clinton's lack of interest in stopping massacres even though the administration knew about them.²⁰⁹ This evidence was made available by the National Security Archive, which published "sixteen declassified US government documents" in 2001.²¹⁰ These documents show that the US insisted on total withdrawal of UN forces from Rwanda in April 1994; Secretary of State Warren Christopher did not allow officials to use the term "genocide" until 21 May 1994 and US officials used the term of genocide three weeks after this

²⁰² "Clinton Administration Policy on Reforming Multilateral Peace Operations (PDD 25)", **Federation of American Scientists**, 06.05.1994, <http://www.fas.org/irp/offdocs/pdd25.htm>, (04.08.2013).

²⁰³ Melvern, p. 191.

²⁰⁴ McQueen, p. 107.

²⁰⁵ McQueen, p. 109.

²⁰⁶ McQueen, p. 116.

²⁰⁷ Stephen Wertheim, "A solution from hell: the United States and the rise of humanitarian interventionism, 1991-2003, **Journal of Genocide Research**, Vol.12, No.3-4, 2010, p. 152.

²⁰⁸ Melvern, p. 191.

²⁰⁹ Samantha Power, "Bystanders to Genocide", **The Atlantic**, 01.09.2001, <http://www.theatlantic.com/magazine/archive/2001/09/bystanders-to-genocide/4571/1/#>, (04.08.2013).

²¹⁰ William Ferroggiaro, "The US and the Genocide in Rwanda 1994: Evidence of Inaction", **The National Security Archive**, 20.08.2001, <http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB53/press.html>, (04.08.2013).

date; on April 30, 1994, this reluctance showed itself in the UN Security Council resolution in which the word “genocide” was omitted. On May 17, 1994, the UN Security Council eventually stated that “acts of genocide may have been committed.”²¹¹ Wheeler argues that classification of the Rwandan crisis as a civil war rather than genocide legitimized the decisions of the United States, Britain and France not to intervene.²¹² The US also refused to stop extremist radio broadcasts that provoked the killings due to costs and concerns of international law.²¹³ According to Secretariat’s report, the US supported total withdrawal of UNAMIR; however, after further consultations with the UK and Russia, the US stated that it could accept reduction of UNAMIR.²¹⁴ According to Michael Barnett, the most vigorous advocate of reducing the level of peacekeepers in Rwanda was the US government which argued that the Security Council had responsibility to protect the lives of the peacekeepers.²¹⁵

The attitudes of most U.S. officials reflected American interests when they opposed the American involvement in Rwanda.²¹⁶ When the President Clinton apologized to Rwandans at Kigali Airport in March of 1998, this deliberate inaction was acknowledged by the US administration. Clinton expressed his apologies at Kigali Airport which was later known as “Clinton apology”: “We come here today partly in recognition of the fact that we in the United States and the world community did not do as much as we could have and should have done to try to limit what occurred” in Rwanda.²¹⁷ When we look at the answer of George W. Bush about Rwanda during the campaign for the 2000 Republican presidential nomination, we can observe that American interests and attitudes about humanitarian intervention had not been radically altered. To a question of TV interviewer how he would react as president if another Rwanda had occurred, he simply replied: “We should not send our troops to stop ethnic

²¹¹ “The Triumph of Evil: 100 days of slaughter, A Chronology of U.S/ U.N. Actions”, **PBS Frontline**

²¹² Wheeler, *Saving Strangers*, pp. 220-221.

²¹³ Ferroggiaro, “The US and the Genocide in Rwanda 1994: Evidence of Inaction”, **The National Security Archive**

²¹⁴ “Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda”, **United Nations**, p. 21.

²¹⁵ Barnett, p.560.

²¹⁶ Power, “Bystanders to Genocide”, **The Atlantic**

²¹⁷ Power, “Bystanders to Genocide”, **The Atlantic**

cleansing and genocide outside our own strategic interest. I would not send US troops into Rwanda.”²¹⁸

2.1.2. The United Kingdom

Several European countries were reluctant to send troops to Rwanda; British Foreign Secretary Douglas Hurd justified British reluctance by stating that “there was no clear mission for British troops in Rwanda”.²¹⁹ During formal meetings of the UNSC, the U.K. representatives expressed the U.K. support to the operation of UNAMIR insofar it would be effective to deliver humanitarian aid.²²⁰ However, when the Security Council met informally on 20 April 1994 in order to evaluate alternatives that were offered by the Secretary General, British Ambassador and Permanent Representative to the UN, David Hannay resisted reinforcement of UNAMIR by urging member states to “think back to Somalia and think about what you would ask these troops to do”.²²¹ He also argued that intervention could constitute a challenge to forces of both the RPF and the Rwandan government.²²² During the secret meetings of the Security Council, David Hannay offered pulling the most of UNAMIR forces from Rwanda and leaving behind only “some elements”, since this option seemed to be the safest solution.²²³ The United States supported this plan, because it was aware that if the UN could not protect its own soldiers, there would be no more troops for future UN operations.²²⁴ At a meeting of the Council on 6 May 1994, British and American diplomats argued that the future of Rwanda will be dependent on the efforts of African countries; David Hannay stated that the Organization of African Unity (OAU) had a “key role to play” regarding Rwanda issue.²²⁵ In an interview with Linda Melvern in December 1999, David Hannay admitted that the British were “extremely unsighted”

²¹⁸ Geral Caplan, “Remembering Rwanda: Rwanda Ten Years after Genocide: Some Reminders of the International Response to the Crisis”, **Pambazuka News** 150, 01.04.2004, http://www.pambazuka.org/en/publications/africanvoices_chap02.pdf, (04.08.2013), p. 36.

²¹⁹ Stephen Kinzer, “European Leaders Reluctant to Send Troops to Rwanda”, **The New York Times**, 25.05.1994, <http://www.nytimes.com/1994/05/25/world/european-leaders-reluctant-to-send-troops-to-rwanda.html?pagewanted=all&src=pm>, (04.08.2013).

²²⁰ “United Nations Security Council 3377th Meeting, **United Nations Security Council**, 16.05.1994, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3377, (07.08.2013).

²²¹ Wheeler, *Saving Strangers*, p. 221.

²²² Melvern, p. 172.

²²³ Allan Thompson, **The Media and the Rwanda Genocide**, Pluto Press, London, 2007, p. 203.

²²⁴ Melvern p. 154.

²²⁵ Melvern, p. 192.

regarding Rwanda genocide since Britain had no interest there.²²⁶ The Rwanda genocide also did not have important place in UK Parliament debates; during the genocide which lasted for three months, the only activity related with Rwanda was an “adjournment debate” which lasted only half an hour.²²⁷ In this respect, Tony Worthington’s speech is significant to note which started as follows:

*An unbelievable atrocity has been going on for months; yet this is our first opportunity to debate it. There has been no Government statement, and as yet the House as a whole has displayed very little interest, despite the fact that Rwanda dwarfs Bosnia in terms of casualties. At the tail end of a parliamentary day, in the minor event of an Adjournment debate, we are able to discuss the issue only because of my luck in a raffle. The luck of the draw determines whether an atrocity in which half a million people have died is debated in the House. We must look at our procedures and attitudes. We must also admit with shame the racism that is involved. It is inconceivable that an atrocity in which half a million white people had died would not have been extensively debated in the House.*²²⁸

Other debaters argued that the government worked hard for assisting the international community to end the violence in Rwanda. Moreover, they argued that the UK government arranged to send humanitarian aid to Rwandan people and refugees since the beginning of the crisis.²²⁹ This debate in House of Commons did not lead to any change in the policy of the UK government and UNSC members until the end of the genocide.

2.1.3. France

The only state that was willing to send troops to Rwanda was France with its decision to send forces to the Rwandan border in preparation for military intervention in order to stop the mass killings. In contrast to activism of the French government, the Rwandan genocide did not have wide media coverage in France. According to Anne Chaon, French daily *Le Monde* included only 576 articles on Rwanda and more than 60 percent of them were short tales.²³⁰ Regarding formal statements, few weeks before the

²²⁶ Thompson,p.206.

²²⁷ Claire Wren, “Rwanda, Darfur and the UK Parliament, Lessons to learn”, **One World Trust**, 2006, p.5.

²²⁸ “Rwanda”, **House of Commons Hansard Debates for 24 May 1994**, 24.04.1994, <http://www.parliament.the-stationery-office.co.uk/pa/cm199394/cmhansrd/1994-05-24/Debate-17.html>, (04.08.2013).

²²⁹ “Rwanda”, **House of Commons Hansard Debates for 24 May 1994**

²³⁰Thompson,p.162.

intervention, French President Mitterrand stated that 'the international community could not act as a global police force and send peacekeepers to all the places where people fight'. However, he had to revise his position as the pressures from NGOs and public opinion increased.²³¹ This intervention would create an opportunity for France to demonstrate its power to the Security Council and minimize negative domestic criticism.²³² In order to justify French operation in Rwanda, the French Foreign Minister Alain Juppe stated in the daily *Liberation* on 16 June 1994 that France had "a real duty to intervene in Rwanda ... to put an end to the massacres and protect the populations threatened with extermination".²³³ During UNSC meetings, the French representatives always argued that their goal in the Rwanda operation was totally humanitarian and that the international community could not remain passive in the face of Rwandan massacre. The official statement of France about sending troops stated that "these forces, together with those of African states and of Western countries joining the operation, will carry out their mission until the U.N. Assistance Mission for Rwanda is in a position to carry out the mandate given it by the U.N. Security Council."²³⁴ According to Wheeler, the French operation in 1994 can be considered an example of abuse since behind it laid the national self-interests of France.²³⁵ The main reason behind the active involvement of France was its interest to improve its international status and power. The international context following the end of the Cold War undermined the importance of France and made it an ordinary power with its restricted foreign policy area. Hence, France had to continue its influence in Africa in order to prove its status and prestige in the international system. Rwandan crisis was a big opportunity for France to demonstrate the credibility of French-African relations and its persistent dominance in the international arena.²³⁶ In this sense, it can be said that France attempted to prevent

²³¹ Wheeler, *Saving Strangers*, p. 235.

²³² Hehir, p. 193.

²³³ Gerard Prunier, "Operation Turquoise: A Humanitarian Escape from a Political Dead End", in **The Path of a Genocide: Rwanda Crisis from Uganda to Zaire**, eds. Howard Adelman and Astri Suhrke, Transaction Publishers, New Jersey, 2000, p.285.

²³⁴ "France Says It Will Send Intervention Force to Rwandan Border", **The New York Times**, 19.06.1994, <http://www.nytimes.com/1994/06/19/world/france-says-it-will-send-intervention-force-to-rwandan-border.html>, (04.08.2013).

²³⁵ Alex J. Bellamy and Nicholas J. Wheeler, "Humanitarian Intervention in World Politics", **Cadair Aberystwyth University Open Access Repository**, 2008, <http://cadair.aber.ac.uk/dspace/bitstream/handle/2160/1925/wheeler?sequence=1>, (04.08.2013).

²³⁶ McQueen, p.131.

English-speaking Africans from gaining power in Rwanda.²³⁷ However, the previous relations between France and Rwanda made French operation complicated since French government used to assist Rwanda's Hutu-dominated Government with its money, military advisers and equipment which later committed genocide against Tutsi minority.²³⁸ Furthermore, according to Gerard Prunier, during the Rwandan crisis French government was still secretly assisting Rwandan army via delivering arms.²³⁹ Moreover, in 2006, the Rwandan President Paul Kagame accused France of supporting the genocidal forces by training and arming them. However, the French embassy refused these charges on the basis of inquiries of the French parliament into the events of 1994.²⁴⁰

The Security Council authorized the French Operation of Turquoise with the Resolution 929 despite the existence of five abstentions which were China, Brazil, New Zealand, Pakistan, and Nigeria. Even though they had hesitation about this operation, no country was able to criticize French operation publicly after standing by the genocide for two months.²⁴¹ The US and the UK supported French Turquoise operation as they regarded it as a courageous step in helping Rwandan civilians.²⁴² However, in fact, both the British and the Americans saw Rwanda as the influence area of France by taking into account the previous relations between Rwanda and France.²⁴³ Furthermore, according to Daniela Krosiak, the United States and the United Kingdom were content with French intervention, which occurred without their involvement.²⁴⁴ However, even though Russia did not veto it, the Russian Ambassador later identified the French

²³⁷ Hintjens, p. 273.

²³⁸ Marlise Simons, "France is Sending Force to Rwanda to Help Civilians", **The New York Times**, 23.06.1994, <http://www.nytimes.com/1994/06/23/world/france-is-sending-force-to-rwanda-to-help-civilians.html?pagewanted=all&src=pm>, (04.08.2013).

²³⁹ Merlvern, p. 182.

²⁴⁰ Ewen MacAskill, "Rwandan leader accuses France of aiding genocide", **The Guardian**, 07.12.2006, <http://www.guardian.co.uk/world/2006/dec/07/france.rwanda>, (04.08.2013).

²⁴¹ Richard Dowden, "French press on with Rwanda mission: Doubts about sending troops, such as the risk to aid workers, have been dismissed in a headlong rush to 'do something'", **The Independent**, 21.06.1994, <http://www.independent.co.uk/news/world/french-press-on-with-rwanda-mission-doubts-about-sending-troops-such-as-the-risk-to-aid-workers-have-been-dismissed-in-a-headlong-rush-to-do-something-writes-richard-dowden-africa-editor-1424040.html>, (04.08.2013).

²⁴² "United Nations Security Council 3392nd Meeting", **United Nations Security Council**, 22.06.1994, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3392, (07.08.2013).

²⁴³ McQueen, 105.

²⁴⁴ Hehir, p. 188.

operation as an “imperative”.²⁴⁵ Furthermore, Western media and human rights organizations were critical of the hidden intention of France, which they regarded as an attempt to prevent the victory of ‘Anglophones’ in Rwanda.²⁴⁶ On 11 July 1994, during the Security Council meeting, Prime Minister Edouard Balladur of France once more asserted his government’s responsibility: “France...believed it had a moral duty to act without delay to stop the genocide and provide immediate assistance to the threatened populations”.²⁴⁷ Moreover, French Defense Minister Francois Leotard stated that the operation was carried out for protecting civilians and stopping genocide in Rwanda.²⁴⁸

2.1.4. Russian Federation

The Russian perspectives on international order and justice historically have evolved differently from the Western perspectives. Russia has always preferred domestic order and power politics to international justice and solidarism. Due to their perception of being excluded and exposed to unequal treatment by the Western states, Russians have seen justice as acquirement of status among great powers and maintenance of its sovereign rights.²⁴⁹ More importantly, throughout the Cold War, the Soviet Union perceived the United Nations as an arena for power politics instead of advancement of international justice.²⁵⁰ Even though the Gorbachev period created some change in Russian attitude toward the UN, the post-Cold war period witnessed more statist and conservative discourses of Russian governments. Russians became skeptical about NATO’s out-of-area operations which they saw as the demonstration of “hegemonic distribution of power” in the 1990s.²⁵¹ However, the post-Cold War context left Russia no room for making foreign policy independently from the West since it was in a state of economic collapse and wanted to guarantee its position as a credible contributor in the resolution of crises. Thus, Russian government tended to comply with the general policy preferences of the permanent Western members of the

²⁴⁵Wheeler, *Saving Strangers*, p. 232.

²⁴⁶ Wheeler, *Saving Strangers*, p.233.

²⁴⁷ McQueen, p. 138.

²⁴⁸ Marlise Simons, “ France is Sending Force to Rwanda to Help Civilians”, **The New York Times**

²⁴⁹ S.Neil Macfarlane, “Russian perspectives on Order and Justice” in **Order and Justice in International Relations**, eds. Rosemary Foot, John Gaddis and Andrew Hurrell, Oxford University Press, Oxford, 2003, pp. 179-184.

²⁵⁰ Macfarlane, p. 191.

²⁵¹ Macfarlane, p.199.

UNSC.²⁵² Because of that, for the first time, Russian government included mission of peacekeeping into its National Security Concept and emphasized the importance of peacekeeping operations, stating that “the implementation of such operations should become an important instrument for the prevention or liquidation of crises as they arise and develop.”²⁵³ Regarding Rwanda crisis, Russia adopted attitudes in common with Western states which have been regarded as inactive and bystander. During UNSC meetings, Russian representatives expressed their awareness about “human tragedy” in Rwanda and their support for active diplomatic efforts.²⁵⁴ During the 3377th meeting, Russian representatives expressed their support for the United Nations peacekeeping force because of its aim to establish secure humanitarian areas in quick and efficient way.²⁵⁵ However, in the same meeting, Russian representative implied the withdrawal of UNAMIR force in case of “no progress towards a political settlement”.²⁵⁶ Even though Russia acknowledged that UNAMIR had humanitarian goal of maintaining the security of civilian population,²⁵⁷ the reduction of number of UNAMIR troops was strongly supported by Russia and the United Kingdom.²⁵⁸

2.1.5. China

Due to its historical experience of imperialism and invasion, China’s attitude towards global order and justice has differed from those of Western states, as in the case of Russia. These experiences also shaped the concerns of China about sovereignty and interference of international community in the domestic issues of other states.²⁵⁹ For Chinese leaders, the key element for international order has been preservation of sovereign status which means the superiority of internal affairs and immunity from

²⁵² McQueen, p. 23.

²⁵³ Michael Yermolaev, “Russia’s international peacekeeping and conflict management in the post-Soviet environment”, *Boundaries of Peace Support Operations: The African Dimension*, ed. Mark Malan, **Monograph**, No.44, 2000, <http://www.issafrica.org/uploads/Mono44Full.pdf>, (07.08.2013), p.44.

²⁵⁴ “United Nations Security Council 3392nd Meeting”, **United Nations Security Council**

²⁵⁵ “United Nations Security Council 3377th Meeting”, **United Nations Security Council**

²⁵⁶ “United Nations Security Council 3377th Meeting”, **United Nations Security Council**

²⁵⁷ “United Nations Security Council 3392nd Meeting”, **United Nations Security Council**

²⁵⁸ “Report of the Independent Inquiry into the actions of the United Nations during the 1994 genocide in Rwanda”, **United Nations**, p. 20-21.

²⁵⁹ Rana Mitter, “An Uneasy Engagement: Chinese Ideas of Global Order and Justice in Historical Perspective”, in **Order and Justice in International Relations**, eds. Rosemary Foot, John Gaddis and Andrew Hurrell, Oxford University Press, Oxford, 2003, pp. 207-208.

international intervention.²⁶⁰ Furthermore, China has been in favor of “traditional peacekeeping operations” which were first introduced by UN Emergency Force (UNEF) for Suez Crisis in 1956. The guidelines of these operations include: neutrality of the intervening force and its commander; the consent of conflicting parties and host country; the non- use of force unless there is need for self-defense; deployment of the force upon cease-fire agreement.²⁶¹ However, even though not all operations met these guidelines, China’s will to be perceived as “cooperative and responsible great power” inhibited its use of veto power in Security Council authorizations under Chapter VII between 1990 and 1999.²⁶²

When we look at China’s attitude toward Rwandan crisis, we can observe traditional China’s policy in favor of state sovereignty.²⁶³ Even though the lack of consent of host country in humanitarian intervention operations has been justification for the disapproval of China,²⁶⁴ China abstained on Security Council Resolution 929 that authorized “Operation Turquoise” of France on the ground that this Resolution would not guarantee the consent of all the parties to the conflict in Rwanda.²⁶⁵ Accordingly, China’s Foreign Minister Qian Qichen affirmed at the meeting of UN General Assembly in 1994 that “UN peacekeeping “must be conducted with the consent and co-operation of all the parties concerned in strict accordance with the UN Charter and the norms governing international relations”.²⁶⁶ The reduction of UNAMIR forces from 2,500 to 270 was unanimously approved by UNSC members with Resolution 912. Even though Security Council records are not available regarding China’s attitudes, it is generally known that China did not tend to describe the events in Rwanda as genocide; instead it was willing to define the crisis as a civil war.²⁶⁷ In October 1993, China voted to support the establishment of UNAMIR which aimed to monitor the cease fire

²⁶⁰ Rosemary Foot, “Chinese Power and The Idea of a Responsible State”, **The China Journal**, No.45, 2001, p. 3.

²⁶¹ M.Taylor Fravel, “China’s Attitude Toward U.N. Peacekeeping Operations since 1989”, **Asian Survey**, Vol.36, No.11, 1996, p.1105.

²⁶² Foot, p.15.

²⁶³ “China’s Growing Role in UN Peacekeeping”, **International Crisis Group: Asia Report**, No. 166, 17.04.2009, p.19.

²⁶⁴ “China’s Growing Role in UN Peacekeeping”, **International Crisis Group: Asia Report**, p.19.

²⁶⁵ “United Nations Security Council 3392nd Meeting”, **United Nations Security Council**

²⁶⁶ Nicola P. Contessi, “Multilateralism, Intervention and Norm Contestation: China’s Stance on Darfur in the UN Security Council”, **Security Dialogue**, Vol.41, 2010, p. 335.

²⁶⁷ Jonathan E.Davis, “From Ideology to Pragmatism: China’s Position on Humanitarian Intervention in the Post-Cold War Era”, **Vanderbilt Journal of Transnational Law**, Vol.44, No.22,2011, p. 236.

agreement between the Rwandan government and the Tutsi-led RPF.²⁶⁸ Even though China supported Resolution 912 on April 22, 1994 along with the other Security Council members which reduced UNAMIR's size to 270 troops, on May 17, 1994 it also joined Security Council members for supporting the Resolution 918 which expanded UNAMIR force to 5,500 troops.²⁶⁹ This change in the policy of the Security Council resulted from constant reports of the Secretary General and wide media coverage about systematic massacre of Tutsis in addition to pressures of the Council President at that time.²⁷⁰ In addition to this, China's support for Resolution 918 can be also explained with its will to be perceived as responsible great power alongside with other SC members.²⁷¹ As a mean of justification of China's support, Chinese representative stated that Resolution 918 was "reflection of the international community's good will and its sincere desire to create conditions for the early restoration of peace and security in [Rwanda]."²⁷² However, during the Security Council meetings in 22 June 1994, due to China's traditional concern of sovereignty, Chen Jian from the Chinese delegation argued that negotiation between the parties was the most appropriate solution of Rwandan crisis; he said that "[r]esort to armed force or mandatory measures would only worsen the situation."²⁷³ During the Council meetings on Resolution 929 which adopted Operation Turquoise of France, Chinese representatives expressed their opposition to moving away from UNAMIR's peacekeeping role which was monitoring the implementation of the Arusha Peace Agreement.²⁷⁴ Chinese Ambassador Li Zhaoxing expressed during the meetings of the Council that the cooperation of all the parties to the conflict was "an indispensable condition for the success of United Nations peacekeeping operation"²⁷⁵ and that the French operation did not fulfill the criterion of consent since the Rwandan Patriotic Front opposed it.²⁷⁶ However, during the SC meeting in 12 December 1995, China

²⁶⁸ Davis, p. 236.

²⁶⁹ S/RES/912 (1994), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/190/85/PDF/N9419085.pdf?OpenElement>, (07.08.2013) and S/RES/918 (1994), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N94/218/36/PDF/N9421836.pdf?OpenElement>, (07.08.2013).

²⁷⁰ Barnett, p. 572.

²⁷¹ Foot, p. 15.

²⁷² "United Nations Security Council 3377th Meeting, **United Nations Security Council**

²⁷³ "United Nations Security Council 3392nd Meeting", **United Nations Security Council**

²⁷⁴ Fravel, p. 1114.

²⁷⁵ "United Nations Security Council 3392nd Meeting", **United Nations Security Council**,

²⁷⁶ Fravel, p. 1114.

confirmed that Rwandese government gave its consent and there were positive developments in favor of “national reconciliation”, thus it supported the resolution that extended the mandate of UNAMIR.²⁷⁷

2.2. THE CONFLICT IN BOSNIA-HERZEGOVINA

The international reaction to the war in Bosnia between 1992 and 1995 occupies an important place in the literature of international relations since it has been one of the most controversial involvements of the Security Council in the post-Cold War era. Despite the several resolutions and peacekeeping forces of the UN, the bloody conflict in Bosnia lasted for more than three years.²⁷⁸ The UNSC adopted eighty-three resolutions regarding the former Yugoslavia, starting with the Resolution 713 in September 1991, which enforced arms embargo to the former Yugoslavia, and ended with Resolution 1021 which affirmed the Dayton agreement. However, the UNSC members were in disagreement about the reason of the conflict in the majority of these resolutions, and they could not adopt the best strategy to cease the violence.²⁷⁹ International organizations and individual states have been criticized for their reluctance to intervene in the conflict. The UN and NATO got involved in Bosnia since 1992, however they adopted more compelling action only in 1995 four years after the conflict began in Bosnia.²⁸⁰ Even though the international actors could not intervene in the Bosnian conflict at the right time, they could not simply ignore the severity of the situation due to the pressures for active involvement.²⁸¹ It can be argued that the rhetoric of the Western leaders in Bosnia crisis reflects their reluctance and ambiguity about intervention to the conflict because they regarded it as difficult to overcome.²⁸² The Western leaders attempted to justify their inaction by emphasizing impossibility of doing something in the

²⁷⁷ “United Nations Security Council 3605th Meeting”, **United Nations Security Council**, 12.12.1995, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3605, (07.08.2013).

²⁷⁸ Mats Berdal, “Bosnia”, **The UN Security Council: From the Cold War to the 21st Century**, Lynne Rienner Publishers, Colorado, 2004, p.451.

²⁷⁹ Berdal, p.452

²⁸⁰ Nicolas Morris, “Humanitarian Intervention in the Balkans”, **Humanitarian Intervention and International Relations**, ed.Jennifer M.Welsh, Oxford University Press, Oxford, 2004, p.99.

²⁸¹ Steven L.Burg and Paul S.Shoup, **The War in Bosnia Herzegovina: Ethnic Conflict and International Intervention**,M.E.Sharpe, Inc. ,New York, 2000, p.10.

²⁸² Riikka Kuusisto, “Framing the Wars in the Gulf and in Bosnia: The Rhetorical Definitions of the Western Power Leaders in Action”, **Journal of Peace Research**, Vol.35, No.5, 1998, p. 609.

Balkans.²⁸³ The conflict in Bosnia was symbolized as dark, turbulent and difficult in which there was no place for intervention.²⁸⁴ According to Mary Kaldor, the Bosnian war was such that the attacks “were directed not against opposing sides, but against civilian populations”.²⁸⁵ Having failed to acknowledge that the war was against civilians, the Western governments regarded murder of civilians as “a side effect of the fighting, not as the goal of the war”.²⁸⁶

Before examining attitudes and discourses of the UNSC members in the Bosnian conflict, it is worth to explain the reasons behind it and the international actions to stop the violence in Bosnia. The Yugoslav state was constituted by six nations (Serbs, Croats, Slovenes, Montenegrins, Macedonians and Bosnian Muslims), all of which had place in a federal system that was governed according to rotating Presidency. Since the foundation of the Socialist Republic of Yugoslavia in 1946, the Serbs dominated the administration, army and economy of the newly emerging state by excluding the Croats from this process.²⁸⁷ After the Second World War in which the Serbs and the Croats took opposite sides, Josip Tito became leader of the Yugoslav state and to a certain extent succeeded to create a new identity of ‘Yugoslavs’ for all nations in the state. However, the death of Tito in 1981 and the rise of the ‘Serbian Renewal Movement’ in 1986 were signs of ethnic conflict in 1990s. The awakening of Serb nationalism also created ethnic nationalism of the Croats and Slovenes for defending themselves against the Serbs.²⁸⁸ Slobodan Milosevic who became the Serbian leader in 1987 was also disappointment for the Yugoslav ideal since he supported the Serb nationalists’ ideal of “Greater Serbia”.²⁸⁹ The Slovenian and the Croatian independence declarations on 25 June 1991 further provoked ethnic nationalists in Serbia for pursuing their ideal of “Greater Serbia”.²⁹⁰ In this sense, the war in Bosnia was due not only to the break-up of Yugoslavia that began with Slovenian and Croatian separatism but also to Milosevic’s support for

²⁸³ Kuusisto, p. 610.

²⁸⁴ Kuusisto, p. 610.

²⁸⁵ Mary Kaldor, **New & Old Wars**, Polity Press Second Edition, Cambridge, 2006, p. 53.

²⁸⁶ Kaldor, p.61.

²⁸⁷ Wheeler, *Saving Strangers*, p.244.

²⁸⁸ Wheeler, *Saving Strangers*, p. 244.

²⁸⁹ Wheeler, *Saving Strangers*, p.244.

²⁹⁰ McQueen, p.54.

Serbian nationalism with his increasing political power.²⁹¹ Croatian Serbs got concerned about their future in an independent Croatia; out of this fear, Serb paramilitaries and Yugoslav Peoples Army (JNA) forces began to carry out military assault in Croatia in order to dominate “Krajina” region during the 1991 summer. Even though the international actors condemned this offence, they did not forget to emphasize the superiority of territorial integrity of Yugoslavia.²⁹² Even though some Western countries such as France, Germany, the Netherlands, and Italy supported to send a force of to cease the violence, it was rejected by the United Kingdom. The UK Prime Minister John Major justified his government’s stance in the House of Commons by stating that Western intervention “would extend the fighting perhaps to Bosnia, Macedonia, or elsewhere”.²⁹³ The UNSC countries decided to control the conflict by enforcing complete embargo on supplying weapons to Yugoslavia with Resolution 713 in 1991.²⁹⁴

One of the most important reason behind the conflict was ethnic diversity in Bosnia Herzegovina that can be better understood with the census of April 1991, according to which there were 43.77 percent “ethnic Muslims”, 31.46 percent Serbs and 17.34 percent Croats in Bosnia Herzegovina.²⁹⁵ On 1 March 1992, Bosnia Herzegovina conducted referendum for its independence, which resulted in more than 60 percent non-Serbian Bosnians support for independence from the Yugoslavian Federation.²⁹⁶ Even though Bosnian Serbians refused the referendum, European Union approved the independence of Bosnia Herzegovina on 6 April 1992.²⁹⁷ UNSC Resolution 755 also affirmed the independence of Bosnia Herzegovina since it admitted the Republic of Bosnia Herzegovina to the UN membership.²⁹⁸ In addition, the UNSC Resolutions 753 and 754 affirmed the

²⁹¹ Lene Hansen, **Security as Practice: Discourse Analysis and the Bosnian War**, Routledge, New York, 2006, p.103.

²⁹² Wheeler, *Saving Strangers*, p.246.

²⁹³ “NATO Summit”, **They Work For You**, 12.11.1991, <http://www.theyworkforyou.com/debates/?id=1991-11-12a.901.0#g914.0>

²⁹⁴ S/RES/713 (1991), **United Nations Security Council**, daccess-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/596/49/IMG/NR059649.pdf?OpenElement, (12.08.2013).

²⁹⁵ McQueen, p.54.

²⁹⁶ Janzekovic, p.165.

²⁹⁷ Steven Woehrel, “Bosnia and Herzegovina: Current Issues and U.S. Policy”, Congressional Research Service, 24.01.2013, <http://www.fas.org/sgp/crs/row/R40479.pdf>, (04.08.213).

²⁹⁸ S/Res/755 (1992), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/755\(1992\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/755(1992)), (05.08.2013).

membership of Croatia and Slovenia to the UN respectively.²⁹⁹ Even though the recognition of Bosnian independence was a trigger of the conflict in Bosnia, prior to it those Bosnian Serbs who supported Radovan Karadzic, the leader of Serbian Democratic Party (SDS), started to arm and created a military unit with the assistance of Serb-controlled JNA in 1990.³⁰⁰ Following the declaration of Bosnian independence, Bosnian Serb leader Karadzic told that it was legitimate to go to war in order to preserve Serbian regions that belonged to the FRY.³⁰¹ Moreover, General Blagoje Adzic, the leader of JNA, proclaimed that his army would defend the Serbs. In response, Alija Izetbegovic's new Muslim government began to make preparations for war.³⁰² During the time period between October 1990 and March 1992, Serbian militias that supported Bosnian Serb politician Radovan Karadzic could use the armaments of Yugoslav army. However, not only Bosnia's Croats and Muslim groups were not able to reach weaponry, but also they were also more affected by the arms embargo than Bosnian Serbs.³⁰³ On 3 April 1992, the conflict between Serbian militias supported by the Yugoslav army and Bosnian Muslims together with the Croats began in Bosanki Brod and Kupres towns of Bosnia. On 4 April 1992, Bosnian Serbs carried out military attacks against Croat and Muslim villages with the assistance of JNA forces.³⁰⁴ Till the end of 1992, Bosnian Serbs captured 70 percent of the Bosnian territory by destroying the towns of Bosnian Muslims and the Croats.³⁰⁵ By the end of April 1992 approximately two million Bosnians had become refugees.³⁰⁶

The UN Security Council passed Resolution 743 in February 1992, which affirmed the deployment of UNPROFOR (the UN Protection Force) in Bosnia that was constituted by mainly West European NATO countries. However, the mandate of the UNPROFOR was only to "ensure a peaceful political settlement", not

²⁹⁹ S/Res/753 (1992) ; S/Res/754 (1992), **United Nations Security Council**, <http://www.un.org/en/sc/documents/resolutions/1992.shtml>, (05.08.2013).

³⁰⁰ Sabrina P.Ramet, **Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the Fall of Milosevic**, Westview Press, Colorado, 2002, p. 203.

³⁰¹ Ramet, p.206.

³⁰² Wheeler, **Saving Strangers**, p. 249

³⁰³ Ramet, p.205

³⁰⁴ Ramet, p.207.

³⁰⁵ Wheeler, **Saving Strangers**, p.250.

³⁰⁶ Tom Gallagher, **The Balkans after the Cold War: From Tyranny to Tragedy**, Routledge Taylor & Francis Group, London, 2003, p. 96.

to get involved in fighting.³⁰⁷ This was due to the reluctance of the SC members and other troop-supplier countries such as Germany about taking more compelling action.³⁰⁸ On 30 May 1992, the UNSC passed Resolution 757 that imposed trade sanctions on Serbia approximately two months after the conflict had started in Bosnia.³⁰⁹ Furthermore, due to the Muslim states' pressure for more concrete action against Bosnian Serbs, the UNSC passed Resolution 770 on 13 August 1992 by twelve votes and three abstentions.³¹⁰ This resolution allowed the use of force in the sense that it called upon member states to act under Chapter VII of the Charter of the UN by taking the "necessary measures" for protecting humanitarian assistance.³¹¹ Even though it did not mark an era for humanitarian intervention, it was the first time that the SC Resolution gave green light for the use of force for protecting humanitarian assistance.³¹² Deploying the United Nation Protection Force (UNPROFOR II) for this purpose was problematic since the French and British governments constrained their troops to classic peacekeeping role, which allowed the use of force only for self-defense.³¹³ However, these resolutions did not cease the violence and UNSC had to pass Resolution 786 on 10 November 1992 that banned military flights in the airspace of Bosnia Herzegovina in order to maintain security in the country.³¹⁴ Furthermore, on 16 November 1992, with Resolution 787, the Security Council reaffirmed that the conflict in the Republic of Bosnia and Herzegovina was a threat to international peace and security, and recalled all states not to maintain trade relationship with Serbia and Montenegro.³¹⁵ As of August 1992, the number of casualties was 50,000 (mostly civilians) and the number of homeless people reached 2 million as a consequence of the Serbian attacks in Croatia

³⁰⁷ S/RES/743(1992), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/743\(1992\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/743(1992)), (05.08.2013),

³⁰⁸ Berdal, p. 454.

³⁰⁹ S/Res/757 (1992), **United Nations Security Council**, <http://www1.umn.edu/humanrts/peace/docs/scres757.html>, (05.08.2013).

³¹⁰ S/Res/770 (1992), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/770\(1992\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/770(1992)), (05.08.2013). The states that abstained on the Resolution 770 were China, India and Zimbabwe.

³¹¹ S/Res/770 (1992); Chapter VII of the UN Charter deals with the action concerning threats to international peace, breaches of the peace and acts of aggression.

³¹² Wheeler, **Saving Strangers**, p.252.

³¹³ Wheeler, **Saving Strangers**, p. 252.

³¹⁴ S/RES/786 (1992), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/786\(1992\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/786(1992)), (05.08.2013).

³¹⁵ S/RES/787 (1992), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/787\(1992\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/787(1992)) (05.08.2013).

and Bosnia.³¹⁶ Under these circumstances, the French and British governments offered providing armed protection to assistance convoys of the United Nations High Commissioner for Refugees (UNHCR). Even though the UN operation saved Bosnian Muslims from starvation during the winter of 1992-93, it could not prevent Bosnian Serbs from bombarding Bosnian Muslims.³¹⁷ In response to the military assault of Bosnian Serbs, the EC eventually convened the London Conference, which affirmed the territorial integrity of Bosnia-Herzegovina and called for international peacekeeping forces in Bosnia due to the aggression of Serbia and Montenegro.³¹⁸ While Cyrus Vance acted as the UN-appointed mediator, this conference appointed Lord Owen as the new EC mediator.³¹⁹ On 22 May 1993, a common policy was adopted under the umbrella of the Joint Action Plan by the United States, Russia, Spain, Britain and France. Accordingly, these countries gave their consent to protect the six “safe areas” in Bosnia (the United States agreed only to provide air support); to create an international war crimes tribunal; to supervise Serbian borders for guaranteeing the implementation of the international embargo on Bosnian Serbs; to preserve the no fly zone over Bosnia; and to expand international presence in Kosovo and Macedonia for containment of the conflict.³²⁰ On 4 June 1993, the UNSC passed Resolution 836 that extended the authorization of UNPROFOR in order ‘to deter attacks against the safe areas’ and authorized UNPROFOR, “acting in self-defence, to take the necessary measures, including the use of force, in reply to bombardments against safe areas...or to armed incursion into them”.³²¹ According to James Gow, the SC members read this Resolution as using air support for defending UNPROFOR personnel, since North Atlantic Council (NAC) restricted the assistance to only using air power for challenging attacks against UNPROFOR.³²² According to a report of the UN Secretariat, additional 32,000 troops had to be deployed in order to protect

³¹⁶ Ramet, p.208.

³¹⁷ Wheeler, **Saving Strangers**, p. 252.

³¹⁸ Ramet, p. 208.

³¹⁹ Hansen, p.104.

³²⁰ “Announcement of the Joint Action Program on the Conflict in Bosnia Joint Action Program”, **The Electronic Research Collection**, 22.05.1993, <http://dosfan.lib.uic.edu/ERC/briefing/dossec/1993/9305/930522dossec.html>, (04.08.2013).

³²¹ S/RES/836 (1993), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/836\(1993\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/836(1993)), (05.08.2013).

³²² James Gow, **Triumph of the Lack of Will: International Diplomacy and the Yugoslav War**, C.Hurst & Co.(Publishers) Ltd., London, 1997, p. 136.

safe areas.³²³ However, less than 3,500 additional troops were deployed in Bosnia, which was inadequate for disarming safe areas or preventing the attacks of Bosnian Serbs.³²⁴

As one of the diplomatic efforts of the EU and the UN, the Vance-Owen plan in 1993 aimed to divide Bosnia on ethnic and geographic terms into ten 'semi-autonomous districts' in order to put an end to conflicting demands for ethnic autonomy.³²⁵ Three of these districts would belong to Bosnian Serbs, three of them to Bosnian Muslims, two of them to Bosnian Croats, one of them to Croatian-Muslim configuration and Sarajevo would be demilitarized and open to three groups.³²⁶ With this redistribution of territories, approximately 40 percent of the territory would be given to the Serbs, and 30 percent of it to the Muslims and Croats.³²⁷ Furthermore, the constitutional principles of the Republic would give districts more autonomy within the framework of decentralized state. The control of the EC and the UN would provide the maintenance of cease-fire between the parties and demilitarization of the Republic.³²⁸ Several observers criticized the plan in the sense that it would not maintain long-term stability and justified the use of force for drawing international borders.³²⁹ The plan created doubts for the Clinton administration in such a way that the State Department spokesman conveyed the concerns of Secretary of State Warren M.Christopher by stating that he "expressed doubts about whether it can realistically be achieved, whether they can, in fact, find an agreement, find a solution that's peaceful that the parties would, in fact, agree to".³³⁰ Even though the Bosnian Croats accepted the plan, both the Bosnian Muslims and the Bosnian Serbs suspended it for further negotiations. In May 1993, due to the international pressure, Bosnian Muslims eventually gave their consent to the plan; however, Radovan Karadzic, the leader of main Serbian party in Bosnia, postponed his consent to the decision of the Bosnian Serb Assembly that would convene at the end of April. It is worth to note

³²³ Berdal, p. 82.

³²⁴ Wheeler, **Saving Strangers**, p. 254.

³²⁵ Ivo H.Daalder, **Getting to Dayton: the Making of America's Bosnia Policy**, The Brookings Institution, Washington, 2000, p.10.

³²⁶ Hansen, p.105.

³²⁷ Hansen, p.105.

³²⁸ McQueen, p.57.

³²⁹ Ramet, p. 210.

³³⁰ Elaine Sciolino, "Christopher Leery of Bosnia Accords", **The New York Times**, 22.01.1993, <http://www.nytimes.com/1993/01/22/world/christopher-leery-of-bosnia-accord.html>, (04.08.2013).

that the Bosnian Serbs continued their attacks in eastern Bosnia during this period.³³¹ On 18 March 1993, Serbians showed their reluctance to accept the peace plan by carrying out an attack to Srebrenica which belonged to Muslim residents.³³² In addition to it, the Serbs tried to prevent humanitarian access of Srebrenica people who were in miserable situation.³³³ Seeing the situation in Srebrenica, the UN Force Commander Philippe Morillon decided to assist by bringing a convoy into Srebrenica.³³⁴ As this event had media coverage on March 18, the pressure for tougher action increased on Western powers and Bosnian President Alija Izetbegovic had to sign the Vance-Owen plan.³³⁵ In spite of media coverage, the Serbs continued their artillery attacks to Srebrenica, which killed 56 people on April 12 1993.³³⁶ In response, the UN Security Council Resolution 819 was accepted in order to declare Srebrenica as a “safe area” that “should be free from any armed attack or any other hostile act”.³³⁷ On 6 May 1993, the UNSC passed Resolution 824 which affirmed six ‘threatened Muslim areas’, Sarajevo, Tuzla, Zepa, Gorazde, Bihac as well as Srebrenica as “safe areas” that should be immune from any military attacks.³³⁸ Even though these two resolutions were accepted under Chapter VII of the UN Charter, they did not have enforcement power in case they were violated.³³⁹ On June 4 1993, Resolution 836 was adopted in order to “deter attacks against the safe areas” under Chapter VII of the Charter.³⁴⁰ However, even the initiators of Resolution, France and Britain, did not declare their adherence to “protect” the above-mentioned areas. According to the commander of the UN force at the time, there were no troops available in these areas even four months after adoption of this resolution.³⁴¹

³³¹ McQueen, p.58.

³³² Daalder, p.12.

³³³ McQueen, p.58.

³³⁴ Hansen, p.105.

³³⁵ Hansen, p.105.

³³⁶ Hansen, p.105.

³³⁷ S/RES/819 (1993), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/221/90/IMG/N9322190.pdf?OpenElement>, (07.08.2013).

³³⁸ S/RES/824(1993), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/262/07/IMG/N9326207.pdf?OpenElement>, (07.08.2013).

³³⁹ Wheeler, *Saving Strangers*, p. 253.

³⁴⁰ S/RES/836(1993), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N93/330/21/IMG/N9333021.pdf?OpenElement>, (07.08.2013).

³⁴¹ Berdal, p. 455.

The explosion of mortar round in Sarajevo on February 5, 1994, which killed 68 people and wounded more than 200 people, had widespread media coverage. The UN Secretary General called the Security Council to sanction NATO air strikes against Bosnian Serbs deployments in Sarajevo.³⁴² Following the failure of Vance-Owen Plan, negotiation attempts were reshaped under the Contact Group, which was comprised of the United States, Russia, Britain, Germany and France. However, Bosnian Serbs did not accept the Contact Group's peace plan, which was put forward in July 1994 and they continued their military attacks on the safe area of Gorazde. In response, the American F-16s attacked some military facilities of Bosnian Serbs.³⁴³ Bosnian Serbs and the Bosnian government agreed to a ceasefire during the end of 1994, but the conflict started again in early April 1995.³⁴⁴

The years between the failure of Vance-Owen Plan and the conflicts in June 1995 can be summarized as the attempts of peace negotiations, rejection of plans, attacks of Bosnian Serbs, holding of the UNPROFOR's soldiers as hostage by Bosnian Serbs, and the UN unwillingness to use force against Bosnian Serbs.³⁴⁵ Following the Srebrenica massacre in which Bosnian Serbs exiled about 5,000 women and children, and killed more than 7,000 Bosnia men, the UNSC was forced to take action against Bosnian Serbs.³⁴⁶ Due to the serious threats to the lives of UN peacekeepers and the UN commitment to protect civilians, the UN eventually decided to respond to Bosnia conflict by means of NATO air strikes.³⁴⁷ In April 1994, NATO air strikes against Bosnian Serbs ceased their attack on Gorazde and stopped humanitarian catastrophe of Bosnian civilians.³⁴⁸ Furthermore, NATO escalated its air strikes following the Bosnian Serb offence against Sarajevo in August 1995. The NATO air strikes lasted for two weeks targeting Serbian arsenals, weapon factories and Serbian army command.³⁴⁹ However, NATO's air attacks against the Serbian military did not protect civilians that were entrapped in the safe

³⁴² Hansen, p.107

³⁴³ "Report of the Secretary-General pursuant to General Assembly resolution 53/55: The Fall of Srebrenica", **United Nations General Assembly**, 15.11.1999, <http://www.un.org/peace/srebrenica.pdf>, (07.08.2013), p.34.

³⁴⁴ Hansen, p.107.

³⁴⁵ Hansen, p.108.

³⁴⁶ Hansen, p.108

³⁴⁷ Wheeler, *Saving Strangers*, p. 254.

³⁴⁸ Wheeler, *Saving Strangers*, p.255.

³⁴⁹ David Owen, **Balkan Odyssey**, Harcourt Brace & Company, Florida, 1995, pp. 357,364.

areas. Ineffectiveness of NATO's air power to protect the safe areas demonstrated that air power could not be an optimal alternative for an effective ground force.³⁵⁰ Even though there was ceasefire between conflicting parties, the debates about whether it was the success of the West remained. On the one hand, there have been those who have argued that the West turned a blind eye to genocide in Bosnia; on the other hand, others supported the idea that the NATO strikes were the best option among the available means.³⁵¹ Richard Holbrooke, who was the main US negotiator during the peace talks in Dayton, argued that NATO air strikes in September 1995 created 'huge difference' for convincing Milosevic for accepting the principles of peace agreement.³⁵² According to Alex Bellamy, peace negotiations owed its success not only to air strikes but also to change of balance in favor of the Croats and Muslims regarding armament. Moreover, the Croatian attacks, named as 'Operation Storm', which defeated the Serbs in Krajina, were the final step for weakening the Serbs on the ground.³⁵³ Thus, according to Lord Owen and Richard Holbrooke the final peace agreement derived from both the deterrence of air strikes and the increasing military power of the Croats and Muslims at the expense of the Bosnian Serbs.³⁵⁴ The Dayton Accord was signed in Paris on December 14 1995 and divided Bosnian territory by giving 51 percent of Bosnian territory to the Federation of Bosnians/Bosnian Muslims and Bosnian Croats and 49 percent to the Serbian Republic.³⁵⁵ During 1995 and 1996, NATO-led Implementation Force (IFOR) with its 60,000 personnel monitored the implementation of the Dayton Accord.³⁵⁶ However, it has been a controversial issue as to what extent the Dayton agreement contributed to the recovery of Bosnia with its insufficient civilian capacity.³⁵⁷

2.2.1. The United States

The end of the Cold War and the collapse of the Warsaw Pact reduced the strategic importance of Yugoslavia to the United States. From then on the US

³⁵⁰Wheeler, *Saving Strangers*, p. 255.

³⁵¹Hansen, pp.108-109.

³⁵² Wheeler, *Saving Strangers*, p. 256.

³⁵³ Wheeler, *Saving Strangers*, p. 256.

³⁵⁴ Wheeler, *Saving Strangers*, p.256.

³⁵⁵ Hansen, p. 108.

³⁵⁶ Janzekovic, p. 174.

³⁵⁷ Cristopher S. Chivvis, "Dayton Dilemma", *Survival: Global Politics and Strategy*, Vol.52, No.5, 2010, p.50.

administration got concerned with the Gulf War and the destiny of fragmented Soviet Union. James Baker, Secretary of State of the Bush administration, pointed out the indifference of the US about Bosnia by stating, “[w]e don’t have a dog in that fight.”³⁵⁸ Accordingly, the Bush administration officials were reluctant to adopt military tools in 1991 and 1992. For instance, Deputy Secretary of State Lawrence Eagleburger opposed military intervention by stating “[t]he tragedy is not something that can be settled from outside and it’s about damn well time that everybody understood that until the Bosnians, Serbs and Croats decide to stop killing each other, there is nothing the outside world can do about it.”³⁵⁹ Furthermore, Dick Cheney, Defense Secretary of Bush Administration, justified their non-intervention by telling CNN “[i]t’s tragic, but the Balkans have been a hotbed of conflict... for century”.³⁶⁰ Even though the Bush administration overlooked the Bosnian war, the American election campaign in 1992 was an opportunity to increase the votes over the tragedy in Bosnia. Presidential candidate Bill Clinton’s proposal was the policy of “lift and strike”, which referred to the resort to air strike and the lifting of the weapons embargo applied on the Bosnian government.³⁶¹ However, when Clinton came into power in 1993, he was unwilling to implement that proposal. The Clinton administration was not disposed either to place the Bosnian issue among the high priority issues of its foreign policy agenda or to mobilize the military power in order to cease violence in Bosnia. Instead Clinton tried to convince Great Britain and France for adopting military action; however, the allies too were not willing to take the risks of losing their troops or intensifying the fighting.³⁶² Both the Bush and Clinton administrations preferred to leave the Bosnian problem to the European Community on the ground that it was a “European problem.”³⁶³ This attitude was also observed in the UN Secretary General Boutros-Ghali’s explanations which

³⁵⁸ Laura Silber and Allan Little, **Yugoslavia: Death of a Nation**, Penguin Books, New York, 1996, 29-30.

³⁵⁹ Frank Gaffney, “ ‘ Method to the Madness’: U.S. Studiously Looks the Other Way On, Encourages Intensified Serbian Genocide”, **Center for Security Policy**, 02.10.1992, <http://www.centerforsecuritypolicy.org/1992/10/02/method-to-the-madness-u-s-studiously-looks-the-other-way-on-encourages-intensified-serbian-genocide-2/>, (04.08.2013).

³⁶⁰ Susan E. Rice and Andrew J. Loomis, “ The Evolution of Humanitarian Intervention and the Responsibility to Protect” , **Beyond Preemption, Force and Legitimacy in a Changing World**, ed. Ivo H. Daalder, Brookings Institution Press, Washington D.C., 2007, p.75.

³⁶¹ Hansen, p. 105

³⁶² Daalder, p. 7.

³⁶³ Ramet, p. 207.

stated that “Yugoslavia is a European problem. Let the Europeans deal with it.”³⁶⁴ The Secretary of State, Warren Christopher went to negotiate with Europeans about the applicability of “lift and strike” policy in early May 1993, which was based on a combination of one-sided lifting of the arms embargo from Bosnian government and applying air strikes against Bosnian Serbs.³⁶⁵ However, Europeans did not deem the policy of “lift and strike” to be effective without the deployment of ground troops, which Clinton did not support.³⁶⁶ Clinton overlooked the option of deployment of the US ground troops due to high costs and lack of American public support for American soldiers’ casualties for saving Bosnians.³⁶⁷ This disagreement between the US and European countries and the situation in Somalia at that time made the US adopt the policy of political engagement in Bosnia but non-involvement in military terms.³⁶⁸

In August 1992, there was a big debate in the Senate concerning “Authorization of Multilateral Action in Bosnia-Herzegovina” at the end of which a resolution passed calling the President to arrange emergency meeting with the UN Security Council in order to undertake “all necessary means” for protecting Bosnian people.³⁶⁹ In this debate, there were competing views about the necessity and legitimacy of military action in Bosnia. For instance, Senator Malcolm Wallop stated that the war in Bosnia did not constitute a threat for the rest of the region and so humanitarian reasons or ‘an emotional sense of outrage’ did not legitimize the military action.³⁷⁰ On the other hand, there were senators who believed the necessity of military action; for instance, Senator Alan Cranston argued “[t]he polite term for what is happening in Bosnia-Herzegovina is ethnic cleansing. I believe a more accurate term is genocide. The world should not stand by when genocide is undertaken in any part of this world.”³⁷¹ Furthermore, there were arguments about

³⁶⁴ James Traub, **The Best Intentions: Kofi Annan and the UN in the Era of American World Power**, Bloomsbury Publishing Plc, London, 2006, p.42.

³⁶⁵ Jason DeParle, “The Man Inside Bill Clinton’s Foreign Policy”, **The New York Times**, 20.08.1995, <http://www.nytimes.com/1995/08/20/magazine/the-man-inside-bill-clinton-s-foreign-policy.html?pagewanted=all&src=pm>, (04.08.2013).

³⁶⁶ Hansen, pp.105-106

³⁶⁷ Wheeler, *Saving Strangers*, p. 252.

³⁶⁸ Berdal, p. 456.

³⁶⁹ “Bill Text 102nd Congress(1991-1992)”, **The Library of the Congress THOMAS**, 11.08.1992, <http://thomas.loc.gov/cgi-bin/query/z?c102:H.RES.552;>, (04.08.2013).

³⁷⁰ Hansen, p.119.

³⁷¹ Hansen, p.119.

Bosnia to the effect that the US did not have moral responsibility to Bosnians in contrast to Europeans; this discourse identified Bosnia as a “European responsibility”.³⁷² On 12 May 1993, during one of his interviews, President Clinton expressed his reluctance to get involved in Bosnia crisis by stating “[t]hose folks have been fighting with each other for a long time,” and “[o]ur policy is not to do what we did in Vietnam, which was to get in and fight with one side in a civil war to assure a military victory.”³⁷³

Regarding the safe areas in Bosnia, even though the US approved the UNSC Resolutions about them, the Clinton administration described safe areas as “shooting gallery” and refused to send any American troops into Bosnia until the conflict came to an end.³⁷⁴ On March 24, 1993, in his interview with Dan Rather of CBS News, Bill Clinton reflected his reluctance by stating “I am appalled by what has happened there; I am saddened; I am sickened. And I know that our ability to do anything about it is somewhat limited.”³⁷⁵ Furthermore, the administration was concerned about the implementation of the Vance-Owen Plan during the initial phases of its incumbency; Clinton criticized the plan by stating on 6 February 1993 “the United States at the present time is reluctant to impose an agreement on the parties to which they do not agree, especially when the Bosnian Muslims might be left at a severe disadvantage if the agreement is not undertaken in good faith by the other parties, and cannot be enforced externally.”³⁷⁶ On 10 February 1993, the President announced his support to negotiation plans, however without deploying ground troops in Bosnia. According to him, the real mission had to be maintaining peace and

³⁷²Hansen, p.28.

³⁷³“Interview With Don Imus of WFAN Radio in New York City”, **Government Printing Office**, 12.05.1993, <http://www.gpo.gov/fdsys/pkg/WCPD-1993-05-17/html/WCPD-1993-05-17-Pg824-2.htm>, (04.08.2013).

³⁷⁴ Elaine Sciolino, “U.S. Says It Will Send 300 Troops to Balkan Republic to Limit Strife”, **The New York Times**, 11.06.1993, <http://www.nytimes.com/1993/06/11/world/us-says-it-will-send-300-troops-to-balkan-republic-to-limit-strife.html?pagewanted=2> , (04.08.2013).

³⁷⁵ “William J.Clinton: Interview With Dan Rather of CBS News”, **The American Presidency Project**, 24.03.1993, <http://www.presidency.ucsb.edu/ws/?pid=46370> , (04.08.2013).

³⁷⁶ Gwen Ifill, “Clinton and Mulroney Fault Balkan Peace Plan”, **The New York Times**, 06.02.1993, <http://www.nytimes.com/1993/02/06/world/clinton-and-mulroney-fault-balkan-peace-plan.html> , (04.08.2013).

enforcing it rather than getting involved in the war.³⁷⁷ In order to justify his rejection of deployment ground troops, he gave the example of Hitler's ground soldiers that were sent to the same area during the Second World War but failed to control it.³⁷⁸

Even the human catastrophe in 1995 that involved the death of 71 people in military attacks against Tuzla did not change the rhetoric of Clinton.³⁷⁹ The speech of Clinton after this tragic event reflected the attitude of US government; he stated on 3 June 1995 that the US attempted to stop violence in Bosnia but "[w]e must remember that the Balkans are a troubling area and that it was trouble in the Balkans that sparked World War I,"³⁸⁰ and he added "we can't completely solve all the world's problems."³⁸¹ President Clinton justified not deploying US troops on the ground in Bosnia by stating "the casualties have dropped from 130,000 in 1992 to about 2,500 in 1994, still tragic but dramatically reduced. And all of this has been accomplished without any involvement of American ground forces in combat or peacekeeping missions."³⁸²

However, the slaughter in Srebrenica, the assault on Sarajevo in August 1995 and the ensuing pressure of the Congress to lift the weapons embargo prioritized the Bosnia crisis on Clinton's foreign policy agenda. The massacre in Srebrenica in 1995, which killed thousands of innocent civilians, showed that the UN was unable to protect "safe areas" in Bosnia. In this sense, Western governments, particularly the US, were concerned about the security of other "safe areas" in Bosnia.³⁸³ Thus, the Clinton Administration decided to pursue a new strategy for Bosnia in order to repair the image of NATO alliance and continued the enlargement of NATO towards the former Warsaw Pact states.³⁸⁴ Furthermore, the failure of the US in Bosnian crisis also threatened to reduce the credibility of the Clinton

³⁷⁷ National Archives and Records Administration, Office of the Federal Register, **Public Papers of the Presidents, William J. Clinton 1993**, Government Printing Office, 1994, p. 79.

³⁷⁸ Hansen, p. 122.

³⁷⁹ Hansen, p. 123.

³⁸⁰ "The President's Radio Address", **The American Presidency Project**, 03.06.1995, <http://www.presidency.ucsb.edu/ws/index.php?pid=51446>, (04.08.2013).

³⁸¹ "The President's Radio Address", **The American Presidency Project**

³⁸² "The President's Radio Address", **The American Presidency Project**

³⁸³ Derek Chollet, **The Road to Dayton Accords. A Study of American Statecraft**, Palgrave Macmillan, Hampshire, 2005, p. 185.

³⁸⁴ Chollet, p. 185.

administration in the coming presidential elections.³⁸⁵ Clinton's national security adviser, Anthony Lake stated "the administration's weak, muddle-through strategy in Bosnia was becoming a cancer on Clinton's entire foreign policy-spreading and eating away its credibility".³⁸⁶ Under these circumstances, President Clinton and his advisers adopted a new course regarding Bosnia and prepared an "endgame strategy" for finishing the war.³⁸⁷ NATO's Operation Deliberate Force hit the Serbian troops on the ground, which led to the Dayton Accord.³⁸⁸ Following this accord, Clinton changed his rhetoric and on 23 September 1995 stated that Bosnia is a territory where "Muslims, Serbs and Croats had lived together peacefully for centuries."³⁸⁹ Furthermore, in contrast to his earlier discourse that they cannot deal with all problems in the world, on 27 November 1995, he combined morality and US national interest for intervening in Bosnia by arguing:

*Securing peace in Bosnia will also help to build a free and stable Europe. Bosnia lies at the very heart of Europe, next door to many of its fragile new democracies and some of our closest allies. Generations of Americans have understood that Europe's freedom and Europe's stability is vital to our own national security.*³⁹⁰

2.2.2. The United Kingdom

British foreign policy in the Bosnian war was shaped by some basic parameters of the UK's foreign policy regarding the Yugoslavia. The end of the World War II had led to the migration of thousands of Serbian people to the UK. Their remarkable number in turn constituted an important lobby center for the British foreign policy during the Bosnian war.³⁹¹ In addition to these refugees, the UK had significant economic linkages with the former Yugoslavia including the Belgrade-based firms in the UK such as Genex and Anglo-Yugoslav Banks. The Yugoslavia was also an important customer of the UK military technology, which helped

³⁸⁵ Daalder, p.84.

³⁸⁶ Daalder, p. 84.

³⁸⁷ Chollet, p. 185.

³⁸⁸ Hansen, p.126.

³⁸⁹ National Archives and Records Administration, Office of the Federal Register, **Public Papers of the Presidents, William J. Clinton 1995**, p. 1464.

³⁹⁰ "Transcript of President Clinton's speech on Bosnia", CNN, 27.11.1995, http://edition.cnn.com/US/9511/bosnia_speech/speech.html , (04.08.2013).

³⁹¹ Carole Hodge, "The Serb Lobby in the United Kingdom", **Balkan Witness**, 2003, <http://balkanwitness.glypx.com/Hodge-SerbLobby.pdf>, (04.08.2013), p. 2.

develop the military ties between the UK army and Yugoslav soldiers, the majority of whom was ethnic Serbs.³⁹² It is also claimed that the general stance of the United Kingdom in the Balkans has been dependent on the idea that Serbia was the state that maintained stability in the region; thus any intervention in Bosnia could damage Serbia and entire stability in the Balkans.³⁹³ Due to these reasons, Britain was one of the most sensitive countries about the territorial integrity of the former Yugoslavia.³⁹⁴ Furthermore, the UK government was not willing to use force against the Serbian offence but instead it preferred diplomatic tools for dealing with the crisis. Therefore, even though Britain was in an important position to influence the international policy on Bosnia due to its presidency of the EC Council during the second half of 1992, its leadership opposed the option of military intervention for a long time.³⁹⁵

The reliance of the UK government upon the intelligence from Belgrade resources also prevented the British leadership to realize the severity of the situation in Bosnia at the outset of the crisis.³⁹⁶ During the initial phase of the Bosnian conflict, the UK government did not see the conflict in Bosnia as more than an internal dispute between the diverse ethnic groups, and accordingly did not accept any international responsibility. In this sense, the UK constructed a discourse on the Balkans, which supported the notion that the responsibility belonged to the “parties themselves”.³⁹⁷ The British Foreign Secretary Douglas Hurd reflected this discourse by stating “the UN cannot stay in the Balkans for ever to pick up the bits and save people from the consequences of their own action.”³⁹⁸ Moreover, Hurd accused the people of Yugoslavia for the conflict in Bosnia, when he stated in July 1992: “When there is no will for peace, we cannot supply it.”³⁹⁹ For instance, British Prime Minister John Major stated during his speech at the House of Commons in June 1993

³⁹² Hodge, “The Serb Lobby in the United Kingdom”, **Balkan Witness**, p. 2.

³⁹³ Carole Hodge, **Britain and the Balkans, 1991 Until the Present**, Routledge, London and New York, 2006, p. 4.

³⁹⁴ Merve İrem Yapıcı, “Bosna Hersek’te Gerçekleştirilen Askeri Müdahalenin Uluslararası Hukuktaki Yeri”, **Uluslararası Hukuk ve Politika**, Vol.2, No.8, 2007, p.3.

³⁹⁵ Gallagher, p. 96.

³⁹⁶ Gallagher, p. 46.

³⁹⁷ Hansen, p. 110.

³⁹⁸ Hansen, p.110.

³⁹⁹ Steven L.Burg, **War or Peace? Nationalism, Democracy, and American Foreign Policy in Post-Communist Europe**, New York University Press, New York and London, 1996, p. 92.

that the conflict in Bosnia was the result of “ancient hatreds in the old Yugoslavia”.⁴⁰⁰ Hurd’s speech in the House of Commons in 1993 emphasized the national interest of the United Kingdom where he argued

*[W]e could not agree to action which would put British forces at serious risk...It is not a British interest, and it would only be a pretence, to suppose that we can intervene and sort out every tragedy which captures people’s attention and sympathy... Decisions cannot be based either on false analogies or on a desire to achieve better headlines tomorrow than today. That is particularly true when those decisions affect human life, and more especially still when the lives are those of British service men or civilians.*⁴⁰¹

Moreover, on February 23, 1993, Hurd supported the British position of non-military intervention by stating “[w]e cannot be everywhere and do everything, and there is no question of Britain or any other country becoming the policeman of the world.”⁴⁰² Furthermore, in 1993, British Defence Secretary, Malcolm Rifkind argued that attempting to establish peace in a “civil-war” by using force would be ineffective since it would necessitate more than 100,000 troops and would cost so many casualties during long-lasting conflict.⁴⁰³ Furthermore, Rifkind argued that in spite of some failures of the international community in the Balkans, it achieved its task and saved civilians.⁴⁰⁴

The British Prime Minister John Major rejected military intervention option in Bosnia and told the House of Commons “[i]t’s all too easy to be heroic with the lives of other people.”⁴⁰⁵ On July 13, 1993, he stated in the House of Commons “I do not think that flamboyant gestures are of help at this time. There is a need for care,

⁴⁰⁰ Tony Barber, “Book Review-Bosnian guilt: ancient hatreds or wicked leaders? : ‘Bosnia: A Short Story’”, **The Independent**, 14.03.1994, <http://www.independent.co.uk/voices/book-review--bosnian-guilt-ancient-hatreds-or-wicked-leaders-bosnia-a-short-history--noel-malcolm-macmillan-1750-pounds-1429025.html> , (04.08.2013).

⁴⁰¹ “House of Common Debate” , **The UK Parliament**, 29.04.1993, <http://www.publications.parliament.uk/pa/cm199293/cmhansrd/1993-04-29/Debate-3.html> , (04.08.2013).

⁴⁰² Kuusisto, p. 610.

⁴⁰³ Wheeler, *Saving Strangers*, p. 250.

⁴⁰⁴ “House of Common Debate”, **The UK Parliament**, 22.11.1995, <http://www.publications.parliament.uk/pa/cm199596/cmhansrd/vo951122/debtext/51122-26.htm> (05.08.2013).

⁴⁰⁵ Anthony Bevens , “British military intervention in Bosnia ruled out”, **The Independent**, 04.12.1992, <http://www.independent.co.uk/news/uk/politics/british-military-intervention-in-bosnia-ruled-out-1561361.html>, (05.08.2013).

caution and coordination.”⁴⁰⁶ Moreover, British Prime Minister John Major opposed the ‘lift and strike’ policy of the US by arguing that those “who talk glibly about bombing from the air really should consider the risk of retaliation to our own troops, there at present, delivering humanitarian aid”.⁴⁰⁷

After the massacre in Sarajevo in 1994, which shocked millions of people due to the international broadcasting, the British administration started to change its attitude about the possibility of military intervention in Bosnia. Furthermore, the majority of British public wanted their government to stop Bosnian Serbs via air strikes.⁴⁰⁸ In his reply to the question of whether he supported military action or not, Major underlined his full support to the Security Council action.⁴⁰⁹ Furthermore, during the Security Council meeting on 14 February 1994, the UK Delegation Sir David Hannay expressed the government’s support to NATO’s air strikes against the artillery positions of Serbians.⁴¹⁰ In this respect, Sir David Hannay defined the British government’s objective as ceasing the fighting, protecting Bosnian civilians, maintaining peaceful settlement, and avoiding the spill-over effect of the war.⁴¹¹ In May 1995, after the Srebrenica massacre and killings of the several UN soldiers in Bosnia, one could also observe a change in Major’s Bosnian policy in his statement, which supported and explained the rationale of international community’s role in the Bosnian crisis with humanitarian and strategic reasons. In addition to reminding the international community of its responsibilities to stop the violence in Bosnia, he stated that the war in Bosnia could damage the stability not only in the Balkans but also in Europe; thus ending the war would serve the European interests.⁴¹²

⁴⁰⁶ “Economic Summit and CSCE”, **Hansard-Mill Banks Systems**, 13.07.2013, <http://hansard.millbanksystems.com/commons/1992/jul/13/economic-summit-and-csce>, (05.08.2013).

⁴⁰⁷ Anthony Bevens, “British military intervention in Bosnia ruled out”, **The Independent**

⁴⁰⁸ Vernon Bogdanor, “Srebrenica: the silence over Britain’s guilt must be over”, **The Guardian**, 12.07.2012, <http://www.guardian.co.uk/commentisfree/2012/jul/12/srebrenica-massacre-bosnia-and-herzegovina>, (05.08.2013).

⁴⁰⁹ “Mr. Major’s Comments on Bosnia”, **The Rt Hon Sir John Major KG C**, 28.02.1994, <http://www.johnmajor.co.uk/page2250.html>, (05.08.2013).

⁴¹⁰ “United Nations Security Council 3336th Meeting”, **United Nations Security Council**, 14.02.1994, [http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3336%20\(Resumption%203\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3336%20(Resumption%203)), (07.08.2013).

⁴¹¹ “United Nations Security Council 3454th Meeting”, **United Nations Security Council**, 08.11.1994, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3454, (07.08.2013).

⁴¹² “Mr. Major’s Comments on Bosnia”, **The Rt Hon Sir John Major KG C**, 31.05.1995, <http://www.johnmajor.co.uk/page1149.html>, (05.08.2013).

In this sense, it can be said that the UK was not willing to be involved in the Bosnian war during its initial phase due to its close relations with Serbia and its reluctance to take the responsibility to use force in an internal dispute. However, as the gravity of the situation increased, the domestic and international pressure forced the Major government to be more supportive for the military intervention in Bosnia.

2.2.3. France

During the initial phases of Bosnian crisis, the US was reluctant to play the leading role and saw the issue as the responsibility of Europeans. This attitude was approved by European states; particularly France regarded the policy of the US as an opportunity to develop Common Foreign and Security Policy (CFSP).⁴¹³ During this process, France was willing to play a significant role in multilateral negotiations for resolving the Bosnia conflict.⁴¹⁴ Even though the French administration had been generally more willing than its European counterparts to use force for humanitarian objectives, it did not support military intervention in Bosnia. The French President Francois Mitterrand said “add war to war will resolve nothing” in Bosnia.⁴¹⁵ France’s Foreign Minister, Roland Dumas, explained that France was one of the most important troop suppliers to Bosnia but said “we have not found many volunteers” to assist the implementation of the SC Resolution that called for using “all necessary means” to protect humanitarian convoys.⁴¹⁶ When the attacks of Bosnian Serbs increased during the summer of 1992, France called to the UN for the establishment of “safe havens” in Bosnia⁴¹⁷ and played initiator role in this regard. This policy resulted from several reasons; first of all, Europe was supposed to find a solution to the Bosnian crisis due to the geographical proximity and the reluctance of the US. However, Germany was bound by its own institution⁴¹⁸ and Britain was too sensitive

⁴¹³ McQueen, p.56

⁴¹⁴ Marc Morje Howard and Lise Morje Howard, “ Raison d’etat or Raison populaire? The Influence of Public Opinion on France’s Bosnia Policy”, **International Public Opinion and the Bosnia Crisis**, eds. Richard Sobel and Eric Shiraev, Lexington Books, Maryland, 2003, p.109.

⁴¹⁵ Alan Riding, “ Conflict in the Balkans: Mitterrand Will Send Troops Only to Protect Bosnia Relief”, **The New York Times**, 14.08.1992, <http://www.nytimes.com/1992/08/14/world/conflict-balkans-mitterrand-will-send-troops-only-protect-bosnia-relief.html>, (05.08.2013).

⁴¹⁶ Alan Riding, “ Conflict in the Balkans: Mitterrand Will Send Troops Only to Protect Bosnia Relief”, **The New York Times**

⁴¹⁷ Marc Morje Howard and Lise Morje Howard, p. 111.

⁴¹⁸ The restrictive interpretation of the German Basic Law has forbidden the German military forces to join international operation forces to operate in another country for humanitarian purposes. See Karl-

to get involved in the Balkans. The only European country that put forward an alternative option to the American ‘lift and strike’ policy was France.⁴¹⁹ On 13 May 1993, France circulated informal negotiating text to the US, UK and Russia in order to understand their attitude towards safe area concept and expected to help draft a new SC resolution for implementing this notion.⁴²⁰ On 19 May 1993, France shared memorandum with the SC, which outlined the framework for the safe areas.⁴²¹ In this sense, it can be said that France played a significant role in the drafting of Resolution 836.⁴²² Moreover, French administration criticized the US policy on Bosnia and argued that “wait and see policy” of the US cannot be justified for humanitarian reasons.⁴²³ During the SC meeting on 21 April 1994, the French delegation emphasized the importance of cooperation among the US, Russia, the European Union and the United Nations for achieving a “political solution”.⁴²⁴ Even though the French administration was not in favor of using force against the Bosnian Serbs, this attitude started to change by the spring of 1995. The reasons of this policy change were both the offences of Bosnians Serbs against French peacekeepers and the election of Jacques Chirac as the President of France who was in favor of military intervention. Chirac invited all Western states to ‘learn the lessons of history’ and to support France to stop ethnic cleansing campaign in Bosnia. He adopted a value-based approach and warned his Western copartners “the values on which our democracies are founded are being flouted in Europe before our very eyes”, and called on them “not to accept the role of passive onlookers or accomplices to the

Heinz Börner, “Germany's Constitutional Court and Future German Combat Operations Outside of Europe”, **The Defense Technical Information Center**, 03.12.1997, <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA332521>, (05.08.2013).

⁴¹⁹ McQueen, p.71.

⁴²⁰ McQueen, p.72

⁴²¹ “Report of the Secretary General Pursuant to General Assembly Resolution : A Srebrenica Report”, **NRC Handelsbld**, 1998, <http://retro.nrc.nl/W2/Lab/Srebrenica/un-srebrenica.html>, (05.08.2013).

⁴²² McQueen, p.72. S/RES/836 (1993) authorized UNPROFOR to take necessary measures, including use of force in response to attacks against safe areas and acknowledged the territorial integrity of the Republic of Bosnia and Herzegovina.

⁴²³ Piers Robinson, **The CNN Effect: The Myth of News, Foreign Policy and Intervention**, Routledge, London and New York, 2002, p. 87.

⁴²⁴ “United Nations Security Council 3367th Meeting”, **United Nations Security Council**, 21.04.1994, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3367, (07.08.2013).

unacceptable”.⁴²⁵ Furthermore, he emphasized the European interests by stating '[i]f we have the will, we can stop an enterprise that threatens yet again to destroy our values and which is coming ever closer to threatening Europe as a whole.' On June 10, 1995, regarding the question about Rapid Reaction Force which was constituted by British, French and Dutch soldiers in order to assist the UN protection mission in Bosnia,⁴²⁶ Chirac expressed his support to this mission for protecting the people in Bosnia.⁴²⁷ On 15 July 1995, Chirac stated that unless the UN attempted to cease the violence in Bosnia, it would turn nothing but “some sort of accomplice to this barbarism and the methods of this ethnic cleansing”.⁴²⁸ In this sense, the new President Chirac was enthusiastic about the use of force in Bosnia by invoking moral issues and European interests. Some argues that as a new President, he intended to reveal his difference from Francois Mitterrand as well as to gain the support of the populous Islamic community in France by recognizing the French responsibility in Bosnia.⁴²⁹

2.2.4. Russian Federation

Russia’s policy should be evaluated in the context of the situation of Russia, which reflected its trauma due to its loss of superpower status following the disintegration of the Soviet Union. As the United States, France and Britain tried to produce their policies regarding the Bosnia war, Russia was stuck in domestic political struggles, thus, at the outset of the crisis, Russian government supported the proposals of the US and other Western powers concerning Bosnia.⁴³⁰ In this sense, President Boris Yeltsin and Foreign Minister Andrey Kozyrev attempted to reassert Russia’s active role in international politics and to develop its cooperation with the

⁴²⁵ Mary Dejevsky, “Chirac invokes history and maintains high moral tone”, **The Independent**, 17.07.1995, <http://www.independent.co.uk/news/chirac-invokes-history-and-maintains-high-moral-tone-1591788.html>, (05.08.2013).

⁴²⁶ Tracy Wilkinson, “Rapid-Reaction Force is Slow to Move into Action” **Los Angeles Times**, 17.07.1995, http://articles.latimes.com/1995-07-17/news/mn-24852_1_rapid-reaction-force, (05.08.2013).

⁴²⁷ “Mr Major’s Joint Press Conference with President Chirac”, **The Rt Hon Sir John Major KG C**, 10.06.1995, <http://www.johnmajor.co.uk/page945.html> , (05.08.2013).

⁴²⁸ Mary Dejevsky, “Bosnia Crisis: Paris Ultimatum: France throws down gauntlet”, **The Independent**, 15.07.1995, <http://www.independent.co.uk/news/world/bosnia-crisis-paris-ultimatum-france-throws-down-gauntlet-1591472.html>, (05.08.2013).

⁴²⁹ Mary Dejevsky, “Chirac invokes history and maintains high moral tone”, **The Independent**

⁴³⁰ Alan F. Fogelquist, “Russia, Bosnia, and the Near Abroad”, **Eurasia Research Center**, 1998, <http://globalgeopolitics.net/arc/1995-04-29-Fogelquist-Russia-Bosnia-FSU.htm>, (05.08.2013).

Western countries. In order to reach this objective, Russia got involved in diplomatic initiatives such as its role in the Vance-Owen plan and Vitaly Churkin's (Ambassador of Russia to the UN) attempt of shuttle diplomacy in 1994. Through these diplomatic efforts, Russia aimed to demonstrate that it was "the diplomatic successor to the USSR not just in name but also in might and importance".⁴³¹

On the other hand, during the Bosnia crisis, Russian government tried to balance its traditional pro-Serbian position in the region and its active policy in Bosnia crisis as a great power.⁴³² Russia had always played the role of Serbia's protector and guardian in the region due to their common Slavic background and Russia's self-image as the defender of the Orthodox Balkan nations.⁴³³ In addition to this, they had bilateral economic agreements including energy deals between the two countries.⁴³⁴ In this sense, Russia was constrained due to the domestic pressures, which pushed the Russian administration to adopt more supporting policy in favor of Serbia. In order to defend the Russian government's position before the nationalist and neo-communist opposition, Russian Foreign Minister Andrei Kozyrev said "[i]f the Russian Federation were to recklessly support only the Serbian national-Bolsheviks out of all the South Slavs, it would be left in isolation in the Balkans, in the CSCE and in the UN."⁴³⁵ Thus, on the one hand, Russia tried to postpone NATO air action as much as possible to placate domestic opposition; on the other hand, it attempted to get involved in the negotiation process to demonstrate its key role in the region's politics.⁴³⁶

Following the Sarajevo marketplace massacre, the Russian delegation expressed Russia's willingness for cooperating with the European Union and the US about the Bosnia crisis.⁴³⁷ During the UNSC meeting on 21 April 1994, Russian

⁴³¹ Berdal, p.458.

⁴³² Allen C. Lynch, "The Realism of Russia's Foreign Policy", **Europe-Asia Studies**, Vol.53, No.1, 2001, p. 10.

⁴³³ Miroslav Jovanovic, "Two Russias: On the Two Dominant Discourses of Russia in the Serbian Public", *Russia-Serbia Relations at the Beginning of the XXI Century*, **International and Security Affairs Centre**, 2010, p. 16.

⁴³⁴ Zarko N. Petrovic, "Russian-Serbian Strategic Partnership: Scope and Content", *Russia-Serbia Relations at the Beginning of the XXI Century*, **International and Security Affairs Centre**, p. 25.

⁴³⁵ Alan F. Fogelquist, "Russia, Bosnia, and the Near Abroad", **Eurasia Research Center**

⁴³⁶ McQueen, p. 87.

⁴³⁷ "United Nations Security Council 3336th Meeting", **United Nations Security Council**

delegation explained Russia's diplomatic initiative by stating "Russia has done a great deal, and is prepared to continue its efforts" to maintain peace in Bosnia.⁴³⁸ However, Russia's mistrust toward the West, which had already deep roots, increased in 1995 due to the NATO's air bombardment without Russia's explicit approval. Furthermore, the UN Secretariat's consent to the use of air force in Bosnia without deliberating with all permanent members was perceived by Russia as the NATO's and the US's unilateral action in Bosnia. Vladimir Dukin, president of the Duma's International Committee pointed out that this situation demonstrated the discrimination in favor of some Security Council members at the expense of others.⁴³⁹ Even though Russia tended to support NATO's air strikes during the later phases of the crisis, it was discontented about the one-sided decision of NATO to extend its targets. The Russian administration argued that the scale of NATO's air strikes exceeded the authority of Resolution 836.⁴⁴⁰ Regarding IFOR, the demand of Russia was being part of peacekeeping mission in Bosnia without being under the NATO command.⁴⁴¹ After various negotiations with the US, Yeltsin agreed to make non-military contributions to IFOR.⁴⁴² However, on 9 September 1995, the Russian President Yeltsin argued that NATO's bombardment against the FRY was actually the 'first sign' of actions of expansion of NATO to the Russian borders and expressed his opposition by stating "[w]hen NATO approaches the borders of the Russian Federation, you can say that there will be two military blocs, and this will be a restoration of what we have already had."⁴⁴³

Thus, Russia's decision making in Bosnia reflected the contradiction in Russia's foreign policy priorities during the Bosnian crisis. On the one hand, it attempted to be perceived as a great power, on the other hand it did not overcome its

⁴³⁸ "United Nations Security Council 3367th Meeting", **United Nations Security Council**

⁴³⁹ Eric Shiraev and Deone Terrio, "Russian Decision-Making Regarding Bosnia: Indifferent Public and Feuding Elites", **International Public Opinion and the Bosnia Crisis**, eds. Richard Sobel and Eric Shiraev, Lexington Books, Maryland, 2003, p. 141.

⁴⁴⁰ Wheeler, *Saving Strangers*, p. 255; S/RES/836 (1993) authorized UNPROFOR to take necessary measures, including use of force in response to attacks against safe areas and acknowledged the territorial integrity of the Republic of Bosnia and Herzegovina.

⁴⁴¹ Chollet, p.117.

⁴⁴² Chollet, p. 122.

⁴⁴³ Steven Erlanger, "In a New Attack Against NATO, Yeltsin Talks of a 'Conflagration of War'", **The New York Times**, 09.09.1995, <http://www.nytimes.com/1995/09/09/world/in-a-new-attack-against-nato-yeltsin-talks-of-a-conflagration-of-war.html> , (05.08.2013).

mistrust towards the Western states about their respect to principles of territorial integrity and sovereignty of states. In addition to these, its effort to appease the Russian public opinion about its action against Serbia shaped the discourses and attitudes of Russian government in the Bosnian crisis.

2.2.5. China

In contrast to Russia's efforts to improve its international stance, China did not get involved in diplomatic efforts regarding the conflict in Bosnia. China showed its discontent about the international intervention into the internal affairs of states with its several abstentions from the resolutions under Chapter VII.⁴⁴⁴ For instance, China abstained from the resolutions that imposed sanctions on the former Yugoslavia and called for the provision of humanitarian assistance as well as it abstained on the extension of UNPROFOR's mandate. In this sense, it can be said that China expressed its displeasure with the deterioration of the principle of nonintervention and the UN Charter.⁴⁴⁵ Moreover, China abstained from Resolution 770 that was passed under the Chapter VII of the UN Charter calling on member states to take "all measures necessary".⁴⁴⁶ The Chinese delegation reflected the Chinese administration's opposition to the use of force by stating in the UNSC meeting that using force "will only complicate the situation, sharpen differences, intensify hatreds, and make it more difficult to solve the problem."⁴⁴⁷ Moreover, it should be stressed that the Chinese delegation did not support the expansion of UNPROFOR mandate in early UNSC meetings by arguing that it "has not received express consents of the parties concerned in Bosnia and Herzegovina."⁴⁴⁸ During the SC meeting on 4 March 1994, the Chinese delegation also explained the government's situation as supporting political tools instead of any military action in Bosnia since China gave importance to the territorial integrity of Bosnia and

⁴⁴⁴ Berdal, p. 458. Chapter VII of the UN deals with the international actions concerning the threats to peace, breaches of the peace and acts of aggression. In this respect, the Resolutions under the Chapter VII calls for the UN members to take action in order to maintain peace and security which contradict with China's priorities such as non-interference in other states' domestic affairs.

⁴⁴⁵ Sally Morphet, "China as a Permanent Member of the Security Council: October 1971—December 1999", *Security Dialogue*, Vol.31, No.2, 2000, p. 162.

⁴⁴⁶ S/Res/770 (1992), *United Nations Security Council*

⁴⁴⁷ Daniel L. Bethlehem and Marc Weller, *The Yugoslav Crisis in International Law: General Issues Part I*, Cambridge University Press, Cambridge, 1997, p.139

⁴⁴⁸ Bethlehem and Weller, p. 109.

Herzegovina.⁴⁴⁹ As the reports of humanitarian catastrophe in Bosnia increased and other SC members started to change their policies in favor of the intervention in Bosnia, the rigid attitude of China about the expansion of UNPROFOR mandate started to soften and China voted for the establishment of “safe areas” in Bosnia in 1994.⁴⁵⁰ Furthermore, China supported Resolution 836, which authorized UNPROFOR “to take the necessary measures”; the Chinese delegation defended China’s position by defining the situation in Bosnia as a “great threat to peace and security in the region”, while repeating the Chinese reservations about the use of force under Chapter VII resolutions.⁴⁵¹ In this sense, it can be said that China’s attitude in Bosnia mirrored the general Chinese policy on humanitarian intervention, which has been based on the superiority of sovereignty and non-interference in the domestic politics of other countries.⁴⁵²

Overall, the late intervention of the UNSC in the Bosnian crisis was about the SC members’ reluctance to get involved in the Bosnian war which they did not see as their foreign policy priority. The military intervention in Bosnia was in contradiction with some SC members’ principles such as non-interference and sovereignty of states. On the other hand, some SC members did not see the intervention as their prior national interests during the initial phases of the conflict. Their intervention to stop the massacre in Bosnia came only four year after the conflict broke out, when the massacre reports from Bosnia dramatically increased and the world public opinion eagerly looked on the UNSC to halt the violence in Bosnia.

2.3. THE CONFLICT IN KOSOVO

In contrast to the Rwanda and Bosnia crises which reflected the inaction and unwillingness of the UN Security Council members concerning humanitarian intervention, the Kosovo crisis was tried to be resolved without any UN authorization.

⁴⁴⁹ “United Nations Security Council 3344th Meeting”, **United Nations Security Council**, 04.03.1994, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3344, (07.08.2013).

⁴⁵⁰ Davis, p. 241.

⁴⁵¹ Davis, p. 242

⁴⁵² Mitter, p. 222.

The importance of NATO's use of force against the Federal Republic of Yugoslavia (FRY) in March 1999 is based on a group of states' justification of bombing another state on the grounds of protecting the human rights of minorities.⁴⁵³ More importantly, NATO's unilateral intervention in Kosovo was the first instance of the use of force on the grounds of humanitarian reasons that was realized without authorization of the UN Security Council.⁴⁵⁴ Due to the potential Russian and Chinese vetoes, those who advocated military operation could not authorize the UN to take military action against FRY, which resulted in a NATO operation without the UNSC's consent.⁴⁵⁵ The divisions in the Security Council about Kosovo demonstrate the lack of consensus in the international community about basic norms such as human rights and state sovereignty.⁴⁵⁶ Furthermore, it indicates that the United Nations came to a deadlock when the Security Council members were in disagreement about geostrategic and normative principles about how to get involved in the Kosovo case.⁴⁵⁷ The NATO's intervention in Kosovo has been quite a controversial issue in terms of two competing principles: respect for states' territorial integrity, and assurance of human rights and self-determination.⁴⁵⁸ The Kosovo case is full of contradictions since on the one hand, the leading governments, particularly the United States and the United Kingdom, had no legal basis in the UN Charter law for using force against the FRY. On the other hand, they believed that they had legitimate reasons to protect Albanian minority against organized violations of human rights. Western governments introduced four reasons in order to justify Kosovo intervention: stopping humanitarian disaster; maintaining NATO's credibility; protecting European security; consistency of NATO's use of force with Security Council Resolutions.⁴⁵⁹ The Kosovo case shows that SC had not capacity

⁴⁵³ Nicholas J. Wheeler, "The Humanitarian Responsibilities of Sovereignty: Explaining the Development of a New Norm of Military Intervention for Humanitarian Purposes in International Society", **Humanitarian Intervention and International Relations**, ed. Jennifer M. Welsh, Oxford University Press, Oxford, 2004, (The Humanitarian Responsibilities of Sovereignty), p.41.

⁴⁵⁴ Hugh Walker, "The Case of Kosovo", **Civil Wars**, Vol.7, No.1, 2005, p. 28.

⁴⁵⁵ Nicholas J. Wheeler, "Reflections on the legality and legitimacy of NATO's intervention in Kosovo", **The International Journal of Human Rights**, Vol.4, No.3-4, 2000, (NATO's intervention in Kosovo), p. 145.

⁴⁵⁶ Wheeler, "The Humanitarian Responsibilities of Sovereignty", p.43.

⁴⁵⁷ Albrecht Schnabel and Ramesh Thakur, "Kosovo and World Politics" **Peace Review**, Vol.11, No.3, 1999, p. 455.

⁴⁵⁸ Julie Mertus, "Beyond Borders: The Human Rights Imperative for Intervention in Kosovo", **Human Rights Review**, Vol.1, No.2, 2000, p. 79.

⁴⁵⁹ Wheeler, *Saving Strangers*, p. 265. The existing UNSC Resolutions, on which NATO operation was based, were Resolution 1160, Resolution 1199 and Resolution 1203. Justification of NATO

to formally undertake humanitarian intervention when some members vetoed the decision of intervention.⁴⁶⁰ For this reason, the ICISS in its report generated solutions in order to make the SC more effective under humanitarian difficulties. It referred to the Kosovo intervention in the sense that it created more controversy than it resolved due to the military intervention of NATO without any UN authorization, thus it is an indicator of need of change in the tools of international community about dealing with humanitarian catastrophe of the 21st century.⁴⁶¹ The report also recalled Secretary-General Kofi Annan's remark about Kosovo intervention by stating "If the collective conscience of humanity ... cannot find in the United Nations its greatest tribunal, there is a grave danger that it will look elsewhere for peace and for justice."⁴⁶²

Before analyzing the attitudes of the Permanent Five in toward the Kosovo conflict, it is crucial to briefly explain the background of the conflict. Following the disintegration of Josip Tito's Yugoslavia, the Kosovar Albanians claimed their right of independence just like Slovenia, Croatia, Macedonia and Bosnia.⁴⁶³ Even though they adopted nonviolent methods to gain independence, they lost their autonomy to Serbia. Increasing suppression by the Serbs created radicalized underground force known as the Kosovo Liberation Army (KLA). The President Milosevic's decision of removing Kosovo's autonomous status triggered a crisis.⁴⁶⁴ The escalation of Serbia's war against the KLA between 1996 and 1998 made Kosovo's civilian population displaced and murdered.⁴⁶⁵ On 24 March 1999, NATO forces carried out air strikes against the FRY in order to force Serbia to accept Rambouillet agreement. However, it was hard to persuade Belgrade government, and military operations lasted for 11 weeks before the

action with its compatibility with the SC resolutions was an indicator of the desire of the SC members to preserve international order with existing international law. In this sense, Kosovo case does not reflect radical change in the mindset of SC members toward more solidarist stance and it does not aim to weaken the UN system in favor of regional organizations that undertake unilateral action. See Walker, "The Case of Kosovo"

⁴⁶⁰ Wheeler, "The Humanitarian Responsibilities of Sovereignty", p.46.

⁴⁶¹ International Commission on Intervention and State Sovereignty, p. 11.

⁴⁶² International Commission on Intervention and State Sovereignty, p. 2. For Kofi Annan's speech, see 54th Session of the UN General Assembly in 1999, <http://www.un.org/ga/54/pv54e.htm>, (05.08.2013).

⁴⁶³ Hehir, p.202.

⁴⁶⁴ Albert Schnabel and Ramesh Thakur, "Kosovo, the changing contours of world politics, and the challenge of world order", **Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship**, eds. Albert Schnabel and Ramesh Thakur, United Nations University Press, Tokyo, 2000, p.4.

⁴⁶⁵ Wheeler, *Saving Strangers*, p. 269.

slaughter was finally over. Moreover, Serbian military and paramilitary forces continued violence against KLA fighters and the civilian population during the military operation.⁴⁶⁶ Before the NATO's use of force, it is estimated that 2,500 Kosovars had been killed in Kosovo.⁴⁶⁷ Even though NATO's intervention in the Federal Republic of Yugoslavia between 24 March and 9 June 1999 stopped the civil war in Kosovo, it could not prevent the country from falling into a tragedy with at least 100,000 dead and 800,000 refugees and displaced persons.⁴⁶⁸

Unlike Somalia and Rwanda cases in distant Africa, Kosovo war took place at European countries' doorstep and its effects were particular concern for European interests and its liberal conscience.⁴⁶⁹ Before NATO air strikes against FRY, there were several diplomatic efforts of Contact Group and Security Council members. The Balkan Contact Group established in 1994 worked as a "coordination forum" for implementation of the peace process in Bosnia and Kosovo crises.⁴⁷⁰ From the beginning of the Kosovo crisis, the Contact Group attempted to resolve the conflict by creating diplomatic dialogue between the parties and supporting the diplomatic endeavors of OSCE, the US and Russia.⁴⁷¹ On 26 January 1999, the US Secretary of State and Russian Foreign Minister called on the Serbian authorities to cease violence and the next day the US government announced that the US and its allies were in agreement that diplomacy and threat of force should be carried out by the Contact Group which consisted of US, UK, France, Germany, Italy and Russia.⁴⁷² Before the use of force, the UN Security Council authorized an arms embargo against FRY including Kosovo.⁴⁷³ On 29 January 1999, the Ministers of Contact Group met and insisted that FRY should put an end to violence and repression in Kosovo, and fulfill its

⁴⁶⁶ Schnabel and Thakur, "Kosovo, the changing contours of world politics, and the challenge of world order" p. 29.

⁴⁶⁷ Janzekovic, p. 54.

⁴⁶⁸ Marie- Janine Calic, " Kosovo in the twentieth century: A historical account", **Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship**, eds. Albert Schnabel and Ramesh Thakur, United Nations University Press, Tokyo, 2000, p. 19.

⁴⁶⁹ Schabel and Thakur, Kosovo and World politics, p.455.

⁴⁷⁰ Christoph Schwegmann, " The Contact Group and its impact on the European Institutional Structure", **Institute for Security Studies**, No.16, 2000, p. iii

⁴⁷¹ Schwegmann, p. 12.

⁴⁷² Marc Weller, " The Rambouillet conference on Kosovo", **International Affairs**, Vol.75, No.2, 1999, p. 221.

⁴⁷³ S/RES/1160 (1998), **United Nations Security Council**, 31.03.1998, <http://www.un.org/peace/kosovo/98sc1160.htm>, (12.08.2013).

commitments in conformity with the accords of NATO, the OSCE and Security Council Resolutions.⁴⁷⁴ The Rambouillet Conference (6-23 February 1999) attempted to resolve the Kosovo crisis through diplomacy but it could not achieve its objectives of stopping human right violations and restituting the Albanian authority in Kosovo and ultimately avoiding the use of force by NATO.⁴⁷⁵ Following the FRY authorities' rejection of the accords, on 24 March 1999, NATO started air strikes without an UNSC authorization. Even though Russia introduced draft resolution that condemned NATO military action against FRY, the Security Council rejected it by a vote of 3 in favor (China, Namibia, and Russian Federation) to 12 against.⁴⁷⁶ NATO ended its military campaign on 9 June 1999 due to the acceptance of the FRY authorities to withdraw from Kosovo. By a vote of 14 in favor, The Security Council Resolution 1244 of 10 June 1999 was adopted to establish the NATO-led Kosovo Force (KFOR) and the United Nations Mission in Kosovo (UNMIK) in order to restore stability in Kosovo.⁴⁷⁷ However, KFOR was not able to prevent KLA from expelling more than 250,000 non-Albanians, particularly Serbs and Roma from Kosovo.⁴⁷⁸

2.3.1. The United States

It can be argued that the Clinton administration applied a kind of neo-Wilsonian perspective concerning human rights activism in its interventions in Haiti, Somalia, Bosnia and Kosovo.⁴⁷⁹ Since the time of Wilson's presidency, American foreign policy has been based on the argument that the worldwide expansion of democracy helps maintain the security of nations.⁴⁸⁰ In this respect, Clinton foreign policy thinking reflects the Kantian perspective according to which democracies do not incline to make

⁴⁷⁴ Weller, p. 222.

⁴⁷⁵ Schwegmann p. 14.

⁴⁷⁶ "Security Council Rejects Demand for Cessation of Use of Force against Federal Republic of Yugoslavia", **UN Press Release SC/ 6659**, 26.03.1999, <http://www.un.org/News/Press/docs/1999/19990326.sc6659.html>, (05.08.2013).

⁴⁷⁷ Ian Johnstone, "Security Council Deliberations: The Power of the Better Argument", **EJIL**, Vol.14, No.3, 2003, p. 465.

⁴⁷⁸ Calic, p. 30.

⁴⁷⁹ G.John Ikenberry, "The costs of victory: American power and the use of force in the contemporary order", **Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship**, eds. Albert Schnabel and Ramesh Thakur, p.87.

⁴⁸⁰ Tony Smith, **America's Mission: The United States and the Worldwide Struggle for Democracy**, Princeton University Press, New Jersey, 1994, p. 9.

war on one another.⁴⁸¹ The Clinton administration's attempt to legitimize the post-Cold War period with norms that promote universal human rights and liberalism facilitated the involvement of the US in Kosovo.⁴⁸² American preponderance during the post-Cold War era called for a more active role and contribution from the US in humanitarian interventions, which, in turn, necessitated sending its military to trouble spots such as Kosovo.⁴⁸³

The President Bill Clinton revealed the national interest of the US about Kosovo conflict during his speech at the Office of the Press Secretary. There he argued that the threat of Kosovo crisis would create domino effect for Albania and Macedonia as well as Greece and Turkey. Furthermore, according to him, the continuation of the conflict would lead to more savagery, more refugees and more victims in Kosovo.⁴⁸⁴ The US Department of State published a document laying down the NATO's objectives and interests about Kosovo. It stated that the primary goal of NATO forces in Kosovo was to "stop the killing and achieve a durable peace that prevents further repression and provides for democratic self-government for the Kosovar people". The same document also stated that there were three strong interests regarding Kosovo, which were avoiding humanitarian disaster, maintaining stability in the Eastern part of Europe and preserving NATO's credibility.⁴⁸⁵ The United States has supported the intervention in Kosovo during all UNSC meetings. For instance, the US Permanent Representative stated on 23 March 1999 that "we believe that action by NATO is justified and necessary to stop the violence and prevent an even greater humanitarian disaster."⁴⁸⁶ Besides, he referred to the President Clinton's speech within the same day, in which Clinton said "We and our allies have a chance to leave our children a Europe that is free, peaceful and stable. But we must act now to do that".⁴⁸⁷ In addition to attitude of US government, the US media, having a similar position about Kosovo with the US

⁴⁸¹ William Jeffers Clinton, "Confronting the challenges of a broader world", **U.S. Department of State Dispatch** Vo.4, No.39, 1993, p. 3.

⁴⁸² Ikenberry, p. 93.

⁴⁸³ Ikenberry, p. 95.

⁴⁸⁴ "Remarks by the President of Foreign Policy", **The White House Office of the Press Secretary**, 26.02. 1999, <http://138.110.28.9/acad/intrel/clintfps.htm>, (05.08.2013).

⁴⁸⁵ G.Gerard Ong, "Credibility over Courage: NATO's Mis-Intervention in Kosovo", **Journal of Strategic Studies**, Vol.26, No.1, 2003, pp.73-74.

⁴⁸⁶ "United Nations Security Council 3988th Meeting", **United Nations**, 24.03.1999, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3988, (05.08.2013)

⁴⁸⁷ "Clinton: 'We must act now'", **BBC News**, 25.03.1999, <http://news.bbc.co.uk/2/hi/europe/303052.stm>, (05.08.2013).

government, presented the NATO's intervention as a just war, using generously the images of the moments of humanitarian assistance to Albanians.⁴⁸⁸

During the meeting of Senate Foreign Relations Committee on April 20, 1999, US Secretary of State Madeleine K. Albright supported Kosovo intervention by stating that Kosovo was the critical missing piece in the puzzle of a Europe whole and free". Moreover, according to her, one of the objectives of the US was saving the Balkans from instability and incorporating it into the group of democratic European countries.⁴⁸⁹ On 7 March 1999, US Secretary of State Albright warned the Serbian government by saying "[w]e are not going to stand by and watch the Serbian authorities do in Kosovo what they can no longer get away with doing in Bosnia".⁴⁹⁰ The United States Representative stated in the Security Council meeting:

*NATO's actions are completely justified. They are necessary to stop the violence and to prevent a further deterioration of peace and stability in the region. The authorities of the Federal Republic of Yugoslavia could quickly bring NATO's actions to a halt by ceasing their brutal attacks against the people of Kosovo and moving to a peace agreement.*⁴⁹¹

When Clinton announced the end of the NATO's strikes against Yugoslavia, he repeated the NATO's goals in Kosovo, which were providing the Kosovar people safety and self-government; holding Serbian forces accountable for their violence against Kosovo and establishment of international security force for protecting Albanians and Serbians. According to him, the end of war created just and honorable outcomes that would consolidate safety and freedom for the people of Kosovo. Clinton also did appreciate diplomatic efforts of Russia (e.g. the establishment of Kosovo Diplomatic Observer Mission (KDOM) under the leadership of the US and Russia and of NATO-

⁴⁸⁸ Jin Yang, "Framing the NATO Air strikes on Kosovo Across Countries: Comparison of Chinese and US Newspaper Coverage", **International Communication Gazette**, Vol. 65, No.3, 2003, p. 244-245.

⁴⁸⁹ Madeleine K. Albright, "U.S. and NATO Policy Toward the Crisis in Kosovo", **U.S. Department of State Archive**, 20.04.1999, <http://secretary.state.gov/www/statements/1999/990420.html>, (05.08.2013).

⁴⁹⁰ "Albright attacks Serbia's actions in Kosovo", **BBC News**, 07.03.1998, <http://news.bbc.co.uk/2/hi/europe/62991.stm>, (05.08.2013).

⁴⁹¹ "United Nations Security Council 3989th Meeting", **Security Council Report**, 26.03.1999, <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3989.pdf>, (05.08.2013).

Russia Permanent Joint Council on the security situation in Kosovo) in spite of Russia's veto against the UN authorization in Kosovo.⁴⁹²

2.3.2. The United Kingdom

The British Prime Minister Tony Blair put forward the British foreign policy towards Kosovo intervention through his speech named 'Doctrine in the International Community' at the Economic Club in Chicago on 22 April 1999.⁴⁹³ In their book, the *Guardian* journalist Polly Toynbee and David Walker defined Blair's Chicago speech as a "fully-fledged doctrine" in which he advocated internationalism and objected to isolationism.⁴⁹⁴ In that speech five major considerations were put forward by Blair for determining the legitimacy of any humanitarian intervention: "Are we sure of our case? Have all the diplomatic options been exhausted? Can we undertake military actions 'sensibly and prudently'? Is there long-term preparation? And lastly, are there national interests for intervention?"⁴⁹⁵ Having placed the Kosovo issue at the center of his speech, Blair emphasized the need for change of the principle of non-intervention, since the acts of genocide, he argued, cannot be considered as the internal affairs of states.⁴⁹⁶ In his speech, he reminded the crimes such as ethnic cleansing, systematic rape and mass murder, which were all committed in Kosovo. Furthermore, he argued that it was obvious that NATO's military action in Kosovo was justified since it was based on values rather than territorial ambitions. According to him, "evil of ethnic cleansing" should not be allowed to continue since tools of appeasement had not worked out. Blair further explained that the coalition of states had five objectives in Kosovo: stopping all war activities and killings; forcing the Serbian military, police and paramilitary forces to withdraw from Kosovo; establishment of an international military force; ensuring the safe return of all refugees and their reach to humanitarian aid; and lastly the

⁴⁹² "Clinton Announces The End of The War in Kosovo", **Australian Politics**, 10.06.1999, <http://australianpolitics.com/1999/06/10/clinton-announces-end-of-war-in-kosovo.html>, (05.08.2013).

⁴⁹³ "The Blair Doctrine", **PBS News Hour**, 22.04.1999, http://www.pbs.org/newshour/bb/international/jan-june99/blair_doctrine4-23.html, (05.08.2013).

⁴⁹⁴ Polly Toynbee and David Walker, **Did Things Get Better? An Audit of Labour's Successes and Failures**, Penguin Books Ltd., London, 2001.

⁴⁹⁵ "The Blair Doctrine", **PBS News Hour**

⁴⁹⁶ Walker, p. 29.

establishment of political fabric for Kosovo on the basis of Rambouillet agreement.⁴⁹⁷ For the British government, the military action was the only option in order to achieve the stopping of killings in Kosovo and it proposed a new Marshall Plan for the Balkan countries, especially Kosovo, Montenegro, Macedonia, Albania and Serbia in order to assist them to become real democracies. Blair based his arguments on the global interdependence and globalization, which, in his opinion, have made isolationism impossible in our age; thus the instability in Kosovo could affect all Europe and the world dramatically.⁴⁹⁸

It is significant to reveal the geopolitical considerations of British government about the intervention in Kosovo. Blair supported the air strikes to the Federal Republic of Yugoslavia in his speech in the House of Commons against the “possibility of re-igniting unrest in Albania, of a destabilized Macedonia, of almost certain knock-on effects in Bosnia, and of further tension between Greece and Turkey. Strategic interests for the whole of Europe are at stake.”⁴⁹⁹ Furthermore, the Kosovo crisis in 1998 was an opportunity for Blair’s demand for “fresh thinking” with respect to European security and the future of the European Security and Defense Identity (ESDI). Playing a leading role in defense and military issues through a “bridging strategy” was crucial for Blair government which had isolated itself from the Monetary Union until that time.⁵⁰⁰ Britain’s long-lasting opposition to the concept of European defense had created the notion that Britain was in favor of NATO rather than Europe.⁵⁰¹ However, this attitude has gradually changed as it accepted 1991 Maastricht Treaty which approved “the eventual framing of a common defense policy, which might in time lead to a common defense” for the European Union.⁵⁰² Moreover, ineffectiveness of the Western European Union, which was established in order to carry out defense mission of the EU, gave

⁴⁹⁷ “The Blair Doctrine”, **PBS News Hour**

⁴⁹⁸ “The Blair Doctrine”, **PBS News Hour**

⁴⁹⁹ “Blair: ‘We must act- to save thousands of innocent men, women and children’”, **The Guardian**, 23.03.1999, <http://www.guardian.co.uk/world/1999/mar/23/balkans.tonyblair>, (05.08.2013).

⁵⁰⁰ Simon Duke, Hans-Georg Ehrhart and Matthias Karadi, “The major European allies: France, Germany, and the United Kingdom”, **Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship**, eds. Albert Schnabel and Ramesh Thakur, p. 139.

⁵⁰¹ Charles Grant, “Can Britain lead in Europe?”, **Europe Layout**, 2002, http://cer-live.thomas-paterson.co.uk/sites/default/files/publications/attachments/pdf/2011/p092_britain_europe-2006.pdf, (05.08.2013).

⁵⁰² “Treaty on European Union”, **European Union Official Journal C 191**, 29.07.1992, <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html>, (05.08.2013).

Britain opportunities for playing more dominant role in defense of the EU. Throughout 1998, Blair started to mention about British leadership for European defense.⁵⁰³ In addition to its will to be initiator in security issues, the British government conceived that strengthening of European military power was essential due to its belief that the US could not stand behind the European security as it did during the Cold War.⁵⁰⁴

The Blair government consistently argued that NATO action was legitimate due to the exceptional right of international community to adopt military action for humanitarian reasons. In October 1998, the United Kingdom Foreign and Commonwealth Office emphasized the legitimacy of military action in Kosovo by arguing that NATO action was justified without UNSC approval since there was clear evidence of humanitarian catastrophe, the military action was the only option for saving lives, and the anticipated use of force was proportionate to the humanitarian aims.⁵⁰⁵ Furthermore, on 24 March 1999, the UK Permanent Representative to the United Nations Sir Jeremy Greenstock repeated the justifications of Kosovo intervention during a Security Council meeting.⁵⁰⁶ British Defense Secretary George Robertson emphasized the necessity of international intervention: “The world has learned its lessons from Bosnia. The international community now knows it must be united, firm and determined from the earliest possible moment in dealing with the Balkans.”⁵⁰⁷

2.3.3. France

During the Kosovo crisis, sidelining of the United Nations placed France in an uncertain position. On the one hand, it would undermine the permanent role of France in the UN Security Council. On the other hand, rejecting NATO mandate would marginalize its position in European security affairs.⁵⁰⁸ It is argued that *Le Monde* newspaper played a significant role in influencing the French public opinion on the

⁵⁰³ Grant, p. 45.

⁵⁰⁴ J.Howorth, “Britain, France and the European Defence Initiative”, **Survival: Global Politics and Strategy**, Vol.42, No.2, 2000, p. 34.

⁵⁰⁵ Christopher Greenwood, “Humanitarian intervention: the case of Kosovo”, **LSE Research Online**, 2008, p. 157.

⁵⁰⁶ “United Nations Security Council 3988th Meeting”, **United Nations**

⁵⁰⁷ “Committee of Foreign Affairs Fourth Report, Kosovo: The Military Campaign”, **The UK Parliament**, <http://www.publications.parliament.uk/pa/cm199900/cmselect/cmaff/28/2810.htm>, (05.08.2013).

⁵⁰⁸ Duke, Ehrhart and Karadi, p. 131.

Yugoslav conflicts.⁵⁰⁹ In this respect, *Le monde* framed the Kosovo crisis as a European problem to be resolved by Europe itself. Although establishment of an EU force and call for European diplomatic tools for the Kosovo crisis were frequently discussed in France, the French government eventually supported the NATO mandate.⁵¹⁰ Following the failure of France's diplomatic efforts, such as Rambouillet agreement under the umbrella of Contact group, the French President and the government became proponents of a military intervention led by United States.⁵¹¹ One reason for that was the desire to prevent the repeat of a tragedy of the Bosnian kind which had resulted from the indecisiveness of the United Nations for four years. Moreover, the intention of France to construct a European Security and Defense Identity (ESDI) would be justified through its military contribution to Kosovo since it would demonstrate the French military capability to Washington.⁵¹²

From the perspective of its security interests, the government was also able to justify its support for a military intervention: continuation of the crisis would escalate the refugee problem and bring about the danger of establishment of a Greater Albania, which would in turn destroy the balance of power in the region.⁵¹³ On the other hand, the opponents of war argued that the US was the initiator of the military intervention and deliberately subverted Rambouillet agreement in order to reach its strategic goals.⁵¹⁴ The French President Jacques Chirac explicitly described the actions of Serbs against Kosovars as 'planned ethnic cleansing'.⁵¹⁵ Moreover, French Prime Minister Mr. Lionel Jospin argued that France was responsible for joining the military operation in Kosovo, which was inevitable due to the resistance of Belgrade to stop its repression.⁵¹⁶

⁵⁰⁹ Diana Johnstone, "The French Media and the Kosovo War", **Degraded Capability: The Media and the Kosovo Crisis**, eds. Philip Hammond and Edward S. Herman, Pluto Press, London, 2000, p. 141.

⁵¹⁰ Reiner Grudmann, "National Elites and Transnational Discourses in the Balkan War: A Comparison between the French, German and British Establishment Press", **European Journal of Communication**, Vol.15, No.3, 2000, p. 307.

⁵¹¹ Bernhard Stahl, "National (hi)stories of war- German and French discourses in the Kosovo war and the Iraq crisis", **VS Verlag für Sozialwissenschaften**, 2010, p.58.

⁵¹² Duke, Ehrhart and Karadi, p.132.

⁵¹³ Stahl, p. 12.

⁵¹⁴ "L'Actualité Politique du Kosovo", **Mouvement des Citoyens**, 09.03.2000, http://mrc92.free.fr/MDC_NAT/actualite/kosovo.html#koso1106, (05.08.2013).

⁵¹⁵ "La barbarie ne peut avoir le dernier mot", **Liberation**, 07.04.1999, <http://www.liberation.fr/evenement/0101279826-la-barbarie-ne-peut-avoir-le-dernier-mot>, (05.08.2013).

⁵¹⁶ Heike Krieger, *The Kosovo Conflict and International Law: An Analytical Documentation, 1974-1999*, **Cambridge University Press**, Cambridge, 2001, p. 392.

Moreover, during the 3988th meeting of UNSC, for instance, the French Representative Mr. Dejammet summarized the attempts of UNSC and their failure against Serbian authorities; in that regard, he approved the NATO operation in Kosovo due to the importance of peace in Europe.⁵¹⁷ In addition to this, France supported all the UNSC Resolutions about Kosovo which were Resolution 1160 about prohibition on sale or supply of weapons to the Federal Republic of Yugoslavia; Resolution 1199 about calling “meaningful dialogue” between the authorities of the FRY and the Kosovo Albanians without international intervention; Resolution 1203 that insisted on dialogue between two authorities and called for member states to supply humanitarian assistance to the region; and Resolution 1244 that deployed international civil and military entity in Kosovo.⁵¹⁸

It is also worth to note that NATO members seemed to realize that NATO’s use of force could establish dangerous precedent for future interventions.⁵¹⁹ During the United Nations General Assembly meetings, their statements reflected their concerns about repetition of NATO’s military action without UN Security Council authorization. For instance, Belgium’s representative emphasized the importance of international order and stated that the use of force without UNSC authorization should not evolve into a legal precedent.⁵²⁰ Russian Federation representative implied that alternative to the United Nations could not be acceptable in the use of force and stated that international community was able to shift Kosovo case from non-legitimate tools into the legal fabric of the United Nations.⁵²¹ This speech showed that Russia perceived NATO operation in Kosovo without UNSC authorization as a threat for the world order⁵²², however Russian administration was pleased with the adoption of Resolution 1244; Russia representative stated in the 4011th meeting that “We are pleased that the members of NATO have

⁵¹⁷ “United Nations Security Council 3988th Meeting”, **United Nations**

⁵¹⁸ S/RES/1160 (1998); S/RES/1199 (1998); S/RES/1203 (1998), **United Nations Security Council**, <http://www.un.org/en/sc/documents/resolutions/1998.shtml>, (05.08.2013) and S/RES/1244 (1999), **United Nations Security Council**, <http://www.un.org/docs/scres/1999/sc99.htm>, (05.08.2013).

⁵¹⁹ Johnstone, p. 468.

⁵²⁰ “UN General Assembly 14th Plenary Meeting”, **Verbatim Records of the Plenary Meetings of the 54th Session of the General Assembly**, 25.09.1999, <http://www.un.org/ga/54/pv54e.htm>, (05.08.2013).

⁵²¹ “Fourth Committee, Continuing Peacekeeping Debate, Hears Views on Humanitarian Intervention, Need for Legal Frameworks”, **UN Press Release GA/SPD/166**, 20.10.1999, <http://www.un.org/News/Press/docs/1999/19991020.gaspd166.doc.html>, (05.08.2013).

⁵²² Brovkin, p. 548.

finally...come to understand that there is no alternative to respecting the Charter prerogatives of the Security Council as the body charged with the primary responsibility for the maintenance of international peace and security.”⁵²³ The US President Bill Clinton also emphasized the superiority of the UN Security Council Resolutions in NATO’s use of force in Kosovo.⁵²⁴ However, due to the statements and discourses of Russia and China, the United States and Britain were convinced that they would veto resolution of air campaign against FRY and they had to act at the expense of violating NATO’s own treaty whose Article I confirmed commitment of NATO operations to the principles of the UN Charter.⁵²⁵

2.3.4. Russian Federation

During the Kosovo crisis, Serbia was the most credible ally of Russia in Europe. The Kosovo intervention increased more tension between Russia and NATO than any other crisis since 1991. The Russian government perceived that they were ignored, which created strong anti-Americanism and hysteria in the Russian media.⁵²⁶ Most of the writers pointed out that NATO operation violated the entire system of the UN law, with the result that the military intervention of NATO without UN authorization amounted to NATO aggression.⁵²⁷ Russia was particularly threatened by the new NATO expansion and especially the air war in Yugoslavia. Viktor Chernomyrdin, former Prime Minister of Russia and President Boris Yeltsin’s special envoy for Kosovo, stated in the Washington Post, “[t]he new NATO strategy, the first practical instance of which we are witnessing in Yugoslavia, has led to a serious deterioration in Russian-U.S. contacts. I will be so bold as to say it has set them back by several decades.” According to Chernomyrdin, “[t]he world has never in this decade been as

⁵²³ “United Nations Security Council 4011th Meeting”, **United Nations**

⁵²⁴ “UN General Assembly 6th Plenary Meeting”, **Verbatim Records of the Plenary Meetings of the 54th Session of the General Assembly**, 21.09.1999, <http://www.un.org/ga/54/pv54e.htm>, (05.08.2013).

⁵²⁵ G.Gerard Ong, “Credibility over Courage: NATO’s Mis-Intervention in Kosovo”, **Journal of Strategic Studies**, Vol.26, No.1, 2003, p.83.

⁵²⁶ Vladimir Brovkin, “Discourse on NATO in Russia during the Kosovo War”, **Demokratizatsiya**, http://www.gwu.edu/~ieresgwu/assets/docs/demokratizatsiya%20archive/07-04_brovkin.pdf, (05.08.2013), p.547.

⁵²⁷ Brovkin,p.548.

close as now to the brink of nuclear war.”⁵²⁸ Most Russian military leaders considered Kosovo intervention as vital military threats to Russia’s military and political interests.⁵²⁹ Alexander Zhylin, one of the significant military analysts summarized this situation as follows: “Generals have told me that we must build a monument to Clinton because the campaign over Kosovo drastically changed political attitudes here. Now there is no more opposition to the idea that Russia should restore its military potential.”⁵³⁰ Furthermore, as Russian Ambassador stated, Russia regarded Kosovo crisis from the beginning “as the internal affairs of the Federal Republic of Kosovo.”⁵³¹ The opposition of Russia can be observed in the draft resolution of Russian Federation to the Council on 26 March 1999, which demanded “the immediate cessation of the use of force against the Federal Republic of Yugoslavia”. However, the resolution was rejected by a vote of 3 in favor (China, Namibia, and Russian Federation) to 12 against.⁵³² Furthermore, the permanent representative of Russia emphasized Russian opposition in a Security Council meeting: “The aggressive military action unleashed by NATO against a sovereign State without the authorization and in circumvention of the Security Council is a real threat to international peace and security and a gross violation of the United Nations Charter and other basic norms.”⁵³³ During another UNSC meeting, Russian Federation representative repeated Russia’s condemnations to NATO’s aggression against a “sovereign state”, and emphasized that these conflicts had to be resolved on the basis of political and legal methods under the umbrella of UN charter.⁵³⁴ Following the adoption of Security Council Resolution 1244, Russia’s representative Sergei V. Lavrov stated that NATO bombing turned humanitarian crisis

⁵²⁸ Marjorie John, “NATO Bombing of Kosovo: Humanitarian Intervention or Crime against Humanity?” **International Journal for the Semiotics of Law**, Vo.15, 2002, p. 92.

⁵²⁹ Stephen J. Blank, “Threats to Russian Security: The View from Moscow”, **Strategic Studies Institute**, 2000, <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=135>, (05.08.2013). p.4.

⁵³⁰ Michael McGuire, “Kosovo War Convinces Russia That Military Needs Updating”, **Chicago Tribune News**, 29.07.1999, http://articles.chicagotribune.com/1999-07-29/news/9907290384_1_russian-air-force-yugoslavia-nato, (05.08.2013).

⁵³¹ “United Nations Security Council 3868th Meeting”, **United Nations**, 31.03.1998, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.3868, (05.08.2013).

⁵³² “Security Council Rejects Demand for Cessation of Use of Force against Federal Republic of Yugoslavia”, **UN Press Release SC/ 6659**

⁵³³ “United Nations Security Council 3989th Meeting”, **Security Council Report**

⁵³⁴ “United Nations Security Council 4011th Meeting”, **United Nations**, 10.06.1999, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.4011, (05.08.2013).

into a “humanitarian catastrophe”.⁵³⁵ Furthermore, during the crisis, Russian President Yeltsin argued that the aim of NATO was to make Yugoslavia its protectorate, and he explained their efforts to stop the military action of NATO, the US and Germany for avoiding possible European and world war. Even though the Duma, comprising a majority of communists and nationalists, pushed for the military support for Yugoslavia as an ally of Serbia, Yeltsin repeated the need for diplomacy and prudence.⁵³⁶ In spite of its opposition to military campaign, Russia joined diplomatic process along with the Western powers, for instance Russia together with the US established Kosovo Diplomatic Observer Mission (KDOM) on 6 July 1998 in order to monitor security situation of civilians, internally displaced persons and refugees in Kosovo.⁵³⁷ Moreover, as a member of NATO-Russia Permanent Joint Council on Security Situation in Kosovo, Russia confirmed its promise to support implementation of objectives of the UN Resolution UNSCR 1244 which called for the establishment of international security and civil presence in Kosovo.⁵³⁸

Russia has been disagreement with the West due to the role of NATO in Europe and extended role of NATO in the world politics. Since Russia administrations has seen NATO as the product of the Cold War, they has perceived NATO as irrelevant for protecting European security in the post-Cold War period and has regarded it as a threat to the national security of the Russian Federation.⁵³⁹ Russia’s position has been generally ambiguous, because on the one hand it has aimed to prove its power in world politics; on the other hand, it has demanded economic and political rewards in exchange for its support in the international interventions.⁵⁴⁰ For instance, in 1994, Russia supported Security Council Resolution which enabled American-led intervention in Haiti in exchange for SC approval of the Russian peacekeeping mission in Georgia.

⁵³⁵ Judith Miller, “ Security Council Backs Peace Plan and a NATO-Led Force”, **New York Times**, 11.06.1999, <http://partners.nytimes.com/library/world/europe/061199kosovo-un.html>, (05.08.2013).

⁵³⁶ “Yeltsin warns of possible world war over Kosovo”, **CNN**, 09.04.1999, <http://edition.cnn.com/WORLD/europe/9904/09/kosovo.diplomacy.02/>, (05.08.2013).

⁵³⁷ “Federal Republic of Yugoslavia and Kosovo: International monitoring of the situation in the Federal Republic of Yugoslavia (FRY) and Kosovo in particular”, **Council of Europe Committee of Ministers**, 29.10.1998, <https://wcd.coe.int/ViewDoc.jsp?id=504851&Site=COE>, (05.08.2013).

⁵³⁸ “Statement by the NATO-Russia Permanent Joint Council on the Security Situation in Kosovo”, **North Atlantic Treaty Organization**, 23.07.1999, http://www.nato.int/cps/en/SID-9A645FDF-65788257/natolive/official_texts_27424.htm, (05.08.2013).

⁵³⁹ Ethan B.Kapstein and Michael Mastanduno, **Unipolar Politics: Realism and State Strategies after the Cold War** , Colombia University Press, New York, 1999, p. 242.

⁵⁴⁰ Erik Voeten, “Outside Options and the Logic of Security Council Action”, **American Political Science Review**, Vol.95, No.4, 2001, p. 847.

Furthermore, during Bosnian war, Russia gave its consent to the establishment of “heavy-weapons exclusion zone” surrounding Sarajevo on condition that Russia would become one of the members of “Contact Group” which gave Russia major player status in the Balkan diplomacy.⁵⁴¹ However, Russian interests were incompatible with the NATO intervention in Kosovo for a number of reasons. From the perspective of strategic interests, Russia was against NATO’s intervention in Kosovo from the beginning due to Russia’s willingness to play an important role in world politics and its perception of being excluded in Eastern Europe.⁵⁴² The material interests of Russia could be damaged due to the NATO/EU embargo on supplies of energy resources to FRY. Furthermore, since Russian people have had ethno-religious connection with the Serbs, NATO military intervention affected the Russian public opinion negatively.⁵⁴³ Russia’s own military operations in Chechnya increased the concern of Russia about potential Western intervention in its own internal affairs,⁵⁴⁴ which created the notion of “Serbia today, Russia tomorrow”.⁵⁴⁵ In this regard, Kosovo operation was perceived as precedent of NATO’s future operations against Russia or its “near abroad”.⁵⁴⁶ Maintaining international order has been always significant for Russia which is regarded as status quo power, and NATO’s intervention in Kosovo could collapse this order and make the US and NATO as the “revolutionary powers”.⁵⁴⁷ Humanitarian intervention for the sake of protecting human rights has not had high priority for Russia which can be observed in official Foreign Policy Concept of the Russian Federation in 2000.⁵⁴⁸ The document did not even include the problem of humanitarian intervention under the section of “Human rights and international relations”. Many Russians

⁵⁴¹ Kapstein and Mastanduno, p.243.

⁵⁴² “Why Russia opposes intervention in Kosovo”, **BBC News**, 13.10.1998, <http://news.bbc.co.uk/2/hi/europe/111585.stm>, (05.08.2013).

⁵⁴³ Vladimir Baranovsky, “Russia: Reassessing national interests”, **Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship**, eds. Albert Schnabel and Ramesh Thakur, United Nations University Press, Tokyo, 2000, p. 102.

⁵⁴⁴ Albrecht Schnabel and Ramesh Thakur, “Kosovo and World Politics”, **Peace Review: A Journal of Social Justice**, Vol.11, No.3, 1999, p. 457.

⁵⁴⁵ Baranovsky, p. 104.

⁵⁴⁶ Blank, p. 4.

⁵⁴⁷ Baranovsky, p. 107.

⁵⁴⁸ Jakub M. Godzimirski, “Russian national security concepts, 1997 and 2000: A comparative analysis”, **European Security**, Vol.9, No.4, 2000, p.78.

perceive humanitarian intervention as Eurocentric and they think that democracy cannot be applied to every country automatically.⁵⁴⁹

2.3.5. China

From the beginning of the Kosovo crisis, China was in favor of its peaceful resolution as it defended the superiority of territorial integrity and sovereignty of Yugoslavia. NATO's air strikes were considered as "unjust and inhumane" by the Chinese government.⁵⁵⁰ For instance, during a UN General Assembly meeting, China's Foreign Minister, Tang Jiaxuan, emphasized the permanent role of non-interference and national sovereignty in the international order.⁵⁵¹ In a Newsmaker's interview, China's Prime Minister Zhu Rongji argued that the most adequate way to solve the Kosovo conflict was political negotiation and diplomacy and his main reference point was the illegitimacy of interference in the internal affairs of another country.⁵⁵² Furthermore, he stated in the Toronto's Globe and Mail that "[a]ll the internal matters should be left for the country itself to resolve".⁵⁵³ Similarly, the representative for China stated at the UNSC meeting on 26 March 1999: "The continued military strikes against the Federal Republic of Yugoslavia by the North Atlantic Treaty Organization, with the United States at the lead, has already resulted in severe casualties and damage, and the situation in the Balkan region has seriously deteriorated. The Chinese Government strongly opposes such an act, which constitutes a blatant violation of the principles of the Charter of the United Nations and of international law, as well as a challenge to the authority of the Security Council."⁵⁵⁴ Moreover, the Chinese Ambassador said that the acts of NATO were a challenge to the international law and ultimate authority of the UN Security Council. In line with its foreign policy, the Chinese government announced its support to the territorial integrity and sovereignty of the Federal Republic of

⁵⁴⁹ Vladimir Baranovsky, "Humanitarian Intervention: Russian Perspectives", **Pugwash Online**, 2001, http://www.pugwash.org/reports/rc/como_russia.htm, (05.08.2013).

⁵⁵⁰ Yunling Zhang, **Rising China and World Order**, World Scientific Publishing Co. Pte.Ltd., Singapore, 2010, p. 179.

⁵⁵¹ Barbara Crossette, "China and Others Reject Pleas That U.N. Intervene in Civil Wars", **The New York Times**, 23.09.1999, <http://www.nytimes.com/1999/09/23/world/china-and-others-reject-pleas-that-un-intervene-in-civil-wars.html>, (05.08.2013).

⁵⁵² "Online Focus: Chinese Premier Zhu", **PBS News Hour**, 09.04.1999, http://www.pbs.org/newshour/bb/asia/jan-june99/zhu_4-9.html, (05.08.2013).

⁵⁵³ Yang, p. 234.

⁵⁵⁴ "United Nations Security Council 3989th Meeting", **Security Council Report**

Yugoslavia.⁵⁵⁵ Regarding the Resolution 1244 of UNSC, China abstained on it instead of vetoing it, the Chinese Ambassador explained China's this attitude by stating that the draft resolution reaffirmed the superiority of the United Nations Charter and territorial integrity of sovereign states, thus the Chinese delegation did not intend to veto the draft resolution.⁵⁵⁶

The NATO military campaign in Serbia and the bombardment of Chinese Embassy was great disappointment for the expectations of Chinese governments for the post-Cold War world order. Prior to this bombing, the public opinion in China was reflected in the article of Yang Xiyue; it was believed that there was interdependence between countries and cooperation would be determining for the power relations.⁵⁵⁷ However, on 7 May 1999, NATO dropped five GPS-guided bombs to the Chinese Embassy in Belgrade which caused the killing of three Chinese journalists and injury of more than 20 other personnel.⁵⁵⁸ NATO's bombing of the Chinese Embassy in Belgrade affected the Chinese public opinion so dramatically that two governments could not communicate with each other the following few days after bombing. However, both China and the US governments took steps in order to control the tension between two countries, for instance the US government expressed its regrets and apologized for its bombing of the Chinese embassy accidentally. Furthermore, they made consultations for repairing the Chinese damages.⁵⁵⁹ One of the concerns of China was that the United States used NATO's intervention in Yugoslavia for the sake of being a global hegemon. Furthermore, as a hegemon, future intervention of the US in China's internal affairs due to the Taiwan issue made Chinese authorities worry about NATO's air strikes against Yugoslavia.⁵⁶⁰ The possible strategic cooperation of the US and Japan in the Asia-Pacific region due to the US-Japan security treaty which involved cooperation against

⁵⁵⁵ "United Nations Security Council 3989th Meeting", **Security Council Report**

⁵⁵⁶ "United Nations Security Council 4011th Meeting", **United Nations**

⁵⁵⁷ Yunling Zhang, "Whither the world order after Kosovo?", **Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship**, eds. Albert Schnabel and Ramesh Thakur p. 118.

⁵⁵⁸ Dexin Tian, "U.S. and NATO Apologies for the Chinese Embassy Bombing: A Categorical Analysis", **International Journal of Communication**, Vol.1, 2007, p.360.

⁵⁵⁹ Qingguo Jia, "Frustrations and Hopes: Chinese perceptions of the engagement policy debate in the United States", **Journal of Contemporary China**, Vol.10, No.27, 2001, p. 325.

⁵⁶⁰ Yunling Zhang, "Whither the world order after Kosovo", p. 121.

threats in Japan's "neighboring area" could influence China's internal affairs negatively which included problematic relations with Taiwan.⁵⁶¹

A study of comparing the US and Chinese newspapers' coverage of the Kosovo war found out that most of the Chinese newspapers questioned the legitimacy and necessity of Kosovo intervention and they did not mention about ethnic cleansing and refugee stories in Kosovo. It can be said that the official position of Chinese government, which supported sovereignty and territorial integrity of Yugoslavia was reflected in and, in turn, fed back the Chinese media framing about Kosovo intervention.⁵⁶²

⁵⁶¹ Zhang, *Rising China and World Order*, pp. 185-186.

⁵⁶² Yang, p. 244.

CHAPTER 3

THE ATTITUDES OF THE UN SECURITY COUNCIL PERMANENT MEMBERS TOWARD HUMANITARIAN CRISES AFTER ADOPTION OF THE R2P DOCTRINE

3.1. THE CONFLICT IN LIBYA

The origin of Libya's crisis dates back to the political unrests known as the 'Arab Spring', which started in Tunisia and then spread to Egypt, Bahrain, Yemen and Syria in 2011.⁵⁶³ The protests against the Great Socialist People's Libyan Arab Jamahiriya⁵⁶⁴ began in mid-January of 2011 and then escalated into civil war due to the Muammar Qadhafi regime's crackdown and harsh measures against civilians. As a result of the regime's violent attacks against the regime's opponents, the latter created the Interim Transitional National Council with the assistance of some opponent members of the army.⁵⁶⁵ Even though the rebels succeeded in gaining control of the cities of Benghazi and Tobruk, in late February and early March in 2011, Qadhafi's forces recaptured important part of the country by arresting and assaulting protestors, and casualties considerably increased within a short time.⁵⁶⁶ Qadhafi threatened the opposition groups by stating "officers have been deployed in all tribes and regions so that they can purify all decisions from these cockroaches" and 'any Libyan who takes arms against Libya will be executed'.⁵⁶⁷ Furthermore, when rebellion started to spread to the capital city and more members of the army defected to the opposition side; Qadhafi ordered thousands of mercenary soldiers and irregular security forces to guard Tripoli, which escalated the violence in Libya.

⁵⁶³ Katerina Dalacoura, "The 2011 uprising in the Middle East: political change and geopolitical implications", **International Affairs**, Vol. 88, no.1, 2012, p. 65.

⁵⁶⁴ It is the name of the regime of Libya under the leadership of Qadhafi since 1969 which is also known as Libyan Arab Jamahiriya. The word 'Jamahiriya' was brought by Qadhafi which means the 'State of the Masses'.

⁵⁶⁵ Alex J. Bellamy and Paul D. Williams, "The new politics of protection? Côte d'Ivoire, Libya and the responsibility to protect", **International Affairs**, Vol.87, No.4, 2011, p. 838.

⁵⁶⁶ "World Report 2012: Libya", **Human Rights Watch**, 2012, <http://www.hrw.org/world-report-2012/world-report-2012-libya>, (30.07.2013).

⁵⁶⁷ Eleanor Hall, "Defiant Gadhafi issues chilling threat", **ABC News**, 23.02.2011, <http://www.abc.net.au/worldtoday/content/2011/s3146582.htm> (30.07.2013)

Also, Qadhafi threatened protestors with eliminating them “house by house”.⁵⁶⁸ It was also reported that Libyan military aircraft opened fire on demonstrators in Tripoli.⁵⁶⁹ On 22 February 2011, The UN’s High Commissioner for Human Rights, Navi Pillay called attention to the gravity of situation in Libya by saying, “widespread and systematic attacks against the civilian population may amount to crimes against humanity.”⁵⁷⁰ On the same day, the UN Secretary General’s Special Advisers pointed out the “widespread and systematic attacks against civilian populations” in Libya and they referred to the R2P doctrine that was accepted at the 2005 World Summit to be implemented in this situation.⁵⁷¹ On 23 February 2011, the Arab League’s General Secretary stated that they excluded Libya from participating in the League until the Qadhafi regime ceased the violence.⁵⁷² The General Assembly also suspended Libya from the Human Rights Council on 1 March 2011 due to the Qadhafi regime’s violent attacks on the protestors.⁵⁷³ As another regional organization, the Peace and Security Council of the African Union (AU) condemned “the indiscriminate and excessive use of force and lethal weapons against peaceful protestors, in violation of human rights and International Humanitarian Law”.⁵⁷⁴ In the face of the UN’s and regional organizations’ call for stopping the violence in Libya, the Security Council started to discuss about the possible ways to resolve the Libyan crisis. After informal consultations, the Security Council published a press

⁵⁶⁸ Kareem Fahim and David D. Kirkpatrick, “Qadhafi Massing Forces in Tripoli as Rebellion Spreads”, **The New York Times**, 23.02.2011,

<http://www.nytimes.com/2011/02/24/world/africa/24libya.html?pagewanted=all> (30.07.2011)

⁵⁶⁹ News Agencies, “Report: Libya air force bombs protestors heading for army base”, **Haaretz**, 21.02.2011, <http://www.haaretz.com/news/world/report-libya-air-force-bombs-protesters-heading-for-army-base-1.344775> (30.07.2013)

⁵⁷⁰ Stephanie Nebehay, “Libya attacks may be crimes against humanity: U.N.”, **Reuters**, 22.02.2011, <http://www.reuters.com/article/2011/02/22/us-libya-protests-rights-idUSTRE71L4Z020110222> (30.07.2013)

⁵⁷¹ United Nations Press Release, “UN-Secretary General Special Adviser on the Prevention of Genocide, Francis Deng, and Special Adviser on the Responsibility to Protect, Edward Luck, on the Situation in Libya”, **the United Nations**, 22.02.2011, <http://www.un.org/en/preventgenocide/adviser/pdf/OSAPG,%20Special%20Advisers%20Statement%20on%20Libya,%2022%20February%202011.pdf> (30.07.2013).

⁵⁷² Xiong Qu, “Arab League suspends Libya Participation”, **CCTV News**, 23.02.2011, <http://english.cntv.cn/program/newsupdate/20110223/103963.shtml> (30.07.2013).

⁵⁷³ General Assembly Department of Public Information, “General Assembly Suspends Libya from Human Right Council”, **United Nations**, 01.03.2011, <http://www.un.org/News/Press/docs/2011/ga11050.doc.htm>, (30.07.2013).

⁵⁷⁴ News and Resources on the Joint Africa-EU Strategy, “AU Peace and Security Council on the situation in Libya”, **Europafrican.net**, <http://europafrica.net/2011/02/24/au-peace-and-security-council-on-the-situation-in-libya/>, (30.07.2013).

statement on Libya that condemned “the violence and use of force against civilians” and demanded “an immediate end to the violence” by the Government of Libya that had “responsibility to protect its population.”⁵⁷⁵ In the meantime, on 27 February 2011, the protestors established the National Transitional Council that was soon regarded to be the representative party of Libyan population instead of Qadhafi who had said “I am Libya” when the demonstrations began.⁵⁷⁶ On March 10, 2011, France was the first country to recognize the National Transitional Council as the only representative of Libyan people.⁵⁷⁷ The European Council also declared that they regarded the Council as a “political interlocutor”.⁵⁷⁸ After further negotiations, the Security Council unanimously adopted the Resolution 1970 that condemned ‘the violence and use of force against civilians’ and affirmed the previous critical positions of the AU, the Organization of the Islamic Conference (OIC) and the Arab League towards Libyan Arab Jamahiriya. Having grounded its act under the Chapter VII of the UN Charter, the Security Council called for “an immediate end to the violence”; referred the situation in Libya since 15 February to the International Criminal Court (ICC); applied an arms embargo on Libya; enforced indefinite travel bans on 16 members of the Libyan regime; decided to freeze the assets of six members of the regime and created sanctions committee for monitoring the implementation of these measures and urged all member states to take necessary steps to deliver humanitarian assistance to the Libyan population.⁵⁷⁹ The Resolution 1970 was not controversial, since it did not include any military interference in Libya, which would not appeal to Russia.⁵⁸⁰ As a result of this resolution, the US

⁵⁷⁵ Security Council Department of Public Information, “Security Council Press Statement on Libya”, **United Nations**, 22.02.2011, <http://www.un.org/News/Press/docs/2011/sc10180.doc.htm> (30.07.2013)

⁵⁷⁶ Anthony Shadid and Kareem Fahim, “Opposition in Libya Struggles to Form a United Front”, **The New York Times**, 08.03.2011, http://www.nytimes.com/2011/03/09/world/africa/09rebels.html?pagewanted=all&_r=0 (30.07.2013).

⁵⁷⁷ David Gauthier-Villars, Adam Entous and Charles Levinson, “France, U.S. Reach Out to Rebels”, **The Wall Street Journal**, 11.03.2011, <http://online.wsj.com/article/SB10001424052748703726904576192990423178836.html>, (30.07.2013).

⁵⁷⁸ European Council, “European Council Declaration”, **European Union**, 20.04.2011, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/119780.pdf (30.07.2013).

⁵⁷⁹ S/RES/1970 (2011), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/245/58/PDF/N1124558.pdf?OpenElement>, (12.08.2013).

⁵⁸⁰ “United Nations Security Council 6491st Meeting”, **United Nations Security Council**, 26.02.2011, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6491, (07.08.2013).

froze \$30bn in assets kept by Qadhafi and his office holders.⁵⁸¹ France sent medical and humanitarian supplies to the eastern city of Benghazi, which the French Prime Minister François Fillon interpreted as “the beginning of a massive operation of humanitarian support for the populations of liberated territories.”⁵⁸²

However, these sanctions against the Libya government could not contribute to the end of crackdown of the regime on the protestors. In the first days of March 2011, the Qadhafi regime continued to use disproportionate violence against opposition forces through military airplanes.⁵⁸³ The Qadhafi forces with their heavy weaponry kept fighting in order to occupy the areas that were controlled by the rebels.⁵⁸⁴ Meanwhile, Qadhafi continued to threaten the protestors during his speeches on state TV in which he emphasized his commitment to “fight to the last man and last woman”.⁵⁸⁵ On 1 March 2011, the Secretary General Ban-Ki Moon stated in the General Assembly “there is no impunity, that those who commit crimes against humanity will be punished”.⁵⁸⁶ Under these circumstances, the United Kingdom and France started to talk about the possibility of enforcing a “no-fly zone” in Libya and air strikes against the Qadhafi regime.⁵⁸⁷ The US Senate passed a resolution also asking the Security Council to take severer action such as “imposition of a no-fly zone over Libyan territory”.⁵⁸⁸ The Secretary General of the Organization of the Islamic Conference also called upon the Security Council to fulfill its

⁵⁸¹ Julian Borger, Patrick Wintour and Martin Chulo, “US tightens military grip on Gadhafi”, **The Guardian**, 28.02.2011, <http://www.guardian.co.uk/world/2011/feb/28/us-military-gaddafi-libya>, (30.07.2010).

⁵⁸² Steven Erlanger, “French Aid Bolsters Libyan Revolt”, **The New York Times**, 28.02.2011, http://www.nytimes.com/2011/03/01/world/europe/01france.html?_r=0, (30.07.2013).

⁵⁸³ “Libya: 21 killed in Misrata weekend fighting”, **The Telegraph**, 07.03.2011, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/8366137/Libya-21-killed-in-Misrata-weekend-fighting.html>, (30.07.2013).

⁵⁸⁴ “Gaddafi forces battle for rebel areas”, **The Guardian**, 02.03.2011, <http://www.theguardian.com/world/2011/mar/02/gaddafi-forces-fight-rebel-areas-libya>, (05.08.2013).

⁵⁸⁵ “Gaddafi forces battle for rebel areas”, **The Guardian**

⁵⁸⁶ Secretary-General Department of Public Information, “United Nations Response to Violence against Civilians in Libya Sends Strong Message, There is “No Impunity” for Crimes Against Humanity, Secretary-General Says”, **United Nations**, 01.03.2011, <http://www.un.org/News/Press/docs/2011/sgsm13425.doc.htm>, (30.07.2013).

⁵⁸⁷ Alistair Macdonald, “Cameron Doesn’t Rule Out Military Force for Libya”, **The Wall Street Journal**, 01.03.2011, <http://online.wsj.com/article/SB10001424052748704615504576172383796304482.html> (30.07.2013) & Tim Shipman, “David Cameron backs Sarkozy calls for Libya air strikes”, **Mail Online**, 11.03.2011, <http://www.dailymail.co.uk/news/article-1365165/David-Cameron-backs-Nicolas-Sarkozy-calls-Libya-air-strikes.html>, (30.07.2013).

⁵⁸⁸ “Bill Text 112nd Congress”, The Library of Congress, 01.03.2011, <http://thomas.loc.gov/cgi-bin/query/z?c112:S.RES.85>, (12.08.2013).

responsibility of imposing no-fly zone over Libya in order to protect civilians.⁵⁸⁹ Another institution that pointed out “the Responsibility to Protect” to save civilians through establishing a no-fly zone over Libya was the European Parliament.⁵⁹⁰ As a national actor in Libya, the leader of National Transitional Council, Mustafa Abdul-Jalil expressed his consent to the notion of no-fly zone, which should be ‘immediate action’.⁵⁹¹ Despite these calls for severer actions against Libya, Qadhafi did not retreat and continued to intimidate the rebels during his speech on radio and television by saying, “we will show no mercy and no pity to them.”⁵⁹² According to the report of Human Rights Watch, the security of civilians in Benghazi and other eastern cities in Libya was at grave risk and the Security Council was regarded as being responsible for the protection of those civilians.⁵⁹³

Under these circumstances, the Security Council accepted Resolution 1973 on March 17, 2011 by a vote of 10 in favor with 5 abstentions (Russian Federation, China, Germany, Brazil, and India).⁵⁹⁴ Having condemned “the gross and systematic violence” in Libya, Resolution 1973 identified the attacks of Libyan government against civilians as the “crimes against humanity”. It called for an “immediate cease-fire” in Libya by acting under the Chapter VII of the UN Charter. It gave authority to the member states to “take all necessary measures” in order to save the civilians and created a no-fly zone over Libyan territory to assist the people suffering from the

⁵⁸⁹ “Ihsanoglu Support No-Fly Decision At Oic Meeting On Libya, Calls For An Islamic Humanitarian Programme In And Outside Libya,” **Organization of Islamic Conference**, 08.03.2011,

http://www.oic-oci.org/topic_detail.asp?t_id=5031&x_key=no-fly zone (30.07.2013).

⁵⁹⁰ “European Parliament resolution of 10 March 2011 on the Southern Neighbourhood, and Libya in particular” **European Parliament**, 10.03.2011,

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2011-0095+0+DOC+XML+V0//EN>, (30.07.2011).

⁵⁹¹ The CNN Wire Staff, “Rebel leader calls for ‘immediate action on no-fly zone’”, **CNN International**, 10.03.2011,

<http://edition.cnn.com/2011/WORLD/africa/03/09/libya.civil.war/index.html>, (30.07.2013).

⁵⁹² “Gadhafi Tells Rebel City, Benghazi, ‘We will Show No Mercy’”, **Reuters**, 17.03.2011, http://www.huffingtonpost.com/2011/03/17/gaddafi-benghazi-libya-news_n_837245.html, (30.07.2013).

⁵⁹³ “Libya: Benghazi Civilians Face Grave Risk”, **Human Rights Watch**, 17.03.2011, <http://www.hrw.org/news/2011/03/17/libya-benghazi-civilians-face-grave-risk>, (30.07.2013).

⁵⁹⁴ S/RES/1973 (2011), **United Nations Security Council**, [http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1973\(2011\)](http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1973(2011)), (06.08.2013).

attacks of the Qadhafi regime.⁵⁹⁵ However, it also eliminated the option of “foreign occupation force of any form on any part of Libyan territory”.⁵⁹⁶ The following day, UN Secretary-General Ban Ki-moon extended his support to the resolution by stating “Security Council today has taken an historic decision. Resolution 1973 (2011) affirms, clearly and unequivocally, the international community’s determination to fulfill its responsibility to protect civilians from violence perpetrated upon them by their own Government.”⁵⁹⁷ In response to Resolution 1973, the Libya’s government declared ceasefire and their commitment to the resolution; however, soon after it violated the ceasefire with the bombardments on Benghazi.⁵⁹⁸ On 19 March 2011, Western allied forces began to make air strikes against Libya’s air defense systems and Qadhafi’s ground forces.⁵⁹⁹ As the conflict between the government and opposition forces continued, the air strikes of the US, UK and France targeted Qadhafi’s ‘command centre’ in Libya’s capital, Tripoli on 21 March 2011.⁶⁰⁰ In order to force Qadhafi to resign, NATO missile strikes hit the closest location to the Libyan leader that killed his son and his three grandchildren.⁶⁰¹ NATO’s air strikes against the most populous areas of Libya created suspicions about to what extent NATO restricted its mandate to Resolution 1973. However, American and NATO officials responded to these accusations by stating they were not targeting to murder Qadhafi; NATO mission’s operational commander Lt. Gen. Charles Bouchard said, “[a]ll NATO’s targets are military in nature and have been clearly linked to the

⁵⁹⁵ S/RES/1973 (2011), **United Nations Security Council**

⁵⁹⁶ S/RES/1973 (2011), **United Nations Security Council**

⁵⁹⁷ Press Release, “Secretary-General Says Security Council Action on Libya Affirms International Community’s Determination to Protect Civilians from Own Government’s Violence”, **United Nations**, 18.03.2011,

<http://www.un.org/News/Press/docs/2011/sgsm13454.doc.htm> (30.07.2013).

⁵⁹⁸ “Libya declares ceasefire but fighting goes on”, **AlJazeera**, 18.03.2011, <http://www.aljazeera.com/news/africa/2011/03/2011318124421218583.html>, (30.07.2013).

⁵⁹⁹ “Libyan air force ‘no longer exists’”, **AlJazeera**, <http://www.aljazeera.com/news/africa/2011/03/201132316258646677.html>, (30.07.2013).

⁶⁰⁰ “Libya: Missile strike destroys Qadhafi ‘command center’”, **BBC News**, 21.03.2011, <http://www.bbc.co.uk/news/world-africa-12801812>, (30.07.2013).

⁶⁰¹ Kareem Fahim and David D. KirkPatrick, “Qadhafi Is Said to Survive NATO Airstrike That Kills Son”, **The New York Times**, 30.04.2011, http://www.nytimes.com/2011/05/01/world/africa/01libya.html?pagewanted=all&_r=0

Qaddafi regime's systematic attacks on the Libyan population and populated areas. We do not target individuals.”⁶⁰²

With the assistance of NATO, opposition forces gained the control of Tripoli in August 2011; the US President Barack Obama commented that Qaddafi and his government had “to recognize that their rule has come to an end” and warned Qaddafi “to relinquish power once and for all.”⁶⁰³ NATO launched various air strikes between March and October 2011. The insurgents lastly took the control of Sirte, the hometown of Qadhafi and lynched him that resulted in the death of Qadhafi on 20 October 2011.⁶⁰⁴ Three days later, the National Transitional Council (NTC) leaders announced the liberation of Libya with cheering of “Declaration of Liberation. Raise your head high. You are a free Libyan.”⁶⁰⁵ On October 27, having considered the National Transitional Council's “Declaration of Liberation” and promising developments in Libya for maintaining peace, the Security Council decided to cease the UN mandate of using force and no-fly zone over Libya with Resolution 2016.⁶⁰⁶ After seven months of operations in Libya, NATO also ended its mission in Libya on October 31, 2011. NATO Secretary General Anders Fogh Rasmussen emphasized the success of the operation during his visit to Tripoli by stating “[w]hen the United Nations took the historic decision to protect you, NATO answered the call. We launched our operation faster than the ever before. More than 8,000 servicemen and women took part in our mission for Libya. We were effective, flexible and precise.”⁶⁰⁷ The head of Libya's National Transitional Council, Mustafa Abdul Jalil replied Rasmussen with his thanks to NATO strikes, which he found “successful”

⁶⁰² Kareem Fahim and David D. KirkPatrick, “Qadhafi Is Said to Survive NATO Airstrike That Kills Son”, **The New York Times**

⁶⁰³ Kareem Fahim and David D. KirkPatrick, “Jubilant Rebels Control Much of Tripoli”, **The New York Times**, 22.08.2011, <http://www.nytimes.com/2011/08/22/world/africa/22libya.html?pagewanted=all>, (31.07.2013).

⁶⁰⁴ Kareem Fahim, Anthony Shadid and Rick Gladstone, “Qadhafi Dies in Libya, Marking an Era's Violent End”, **The New York Times**, 20.10.2011, <http://www.nytimes.com/2011/10/21/world/africa/qaddafi-is-killed-as-libyan-forces-take-surt.html?pagewanted=all>, (31.07.2013).

⁶⁰⁵ “Libya's new rulers declare country liberated”, **BBC News**, 23. 10. 2011, <http://www.bbc.co.uk/news/world-africa-15422262>, (30.07.2013).

⁶⁰⁶ S/RES/2016 (2011), **United Nations Security Council**, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N11/567/10/PDF/N1156710.pdf?OpenElement>, (12.08.2013).

⁶⁰⁷ “ ‘We answered the call’ -the end of Operation Unified Protector”, **North Atlantic Treaty Organization**, 31.10.2011, http://www.nato.int/cps/en/SID-8B0356F0-A8119559/natolive/news_80435.htm , (31.07.2013).

and harmless for civilians.⁶⁰⁸ On the other hand, the so-called BRICS countries (Brazil, Russia, India, China and South Africa) criticized that the NATO operations exceeded the Resolution 1973's mandate by targeting militarily insignificant locations and risking the civilians' life. They also argued that Western powers violated the arms embargo on Libya by supplying weapons to rebel groups.⁶⁰⁹ Even Gareth Evans, one of the intellectual architects of the R2P doctrine, claimed that NATO operations extended the Security Council mandate on Libya "to the absolute limit" through bombing Qadhafi's palaces and operation centers, which strengthened the suspicion that regime change in Libya was the real intention of the SC members. Evans was also concerned about the future of the R2P doctrine due to the imperfect implementation of it in Libya and stated "It would be a profoundly unhappy development if there were to be a major retreat from what has been achieved so far".⁶¹⁰

3.1.2. The United States

International intervention in Libya with the consent of the UNSC assisted the Obama administration to show that its government was different from the former US governments due to its belief in "multi-partner world".⁶¹¹ As it can be observed in the speech of Secretary of State, Hillary Clinton, in 2009, the US administration was determined to resolve "collective action problems" by cooperating within the framework of existing international institutions.⁶¹² During the presidential debate in 2008, Obama adopted a value-based approach; he answered the question of what the Obama doctrine would be when the US did not have clear national interests to send troops in order to save people in remote areas by stating that the US had "moral

⁶⁰⁸ " 'We answered the call' -the end of Operation Unified Protector", **North Atlantic Treaty Organization**

⁶⁰⁹ Alan Philps, "Gareth Evans on 'Responsibility to Protect' after Libya", **Chatnam House**, 2012, <http://www.chathamhouse.org/publications/twt/archive/view/186279>, (31.07.2013).

⁶¹⁰ "NATO stretching UN Libya Mandate: Evans", **The Sydney Morning Herald**, 04.05.2011, <http://news.smh.com.au/breaking-news-national/nato-stretching-un-libya-mandate-evans-20110504-1e7zj.html>, (31.07.2013).

⁶¹¹ Hillary Rodham Clinton, " Foreign Policy Address at the Council on Foreign Relations", **U.S. Department of State**, 15.07.2009, <http://www.state.gov/secretary/rm/2009a/july/126071.htm>, (31.07.2013)

⁶¹² Hillary Rodham Clinton, " Foreign Policy Address at the Council on Foreign Relations", **U.S. Department of State**

issues at stake” to protect people.⁶¹³ He also gave signals of multilateral action in Libya during his speech on 28 March 2011:

*American leadership is not simply a matter of going it alone and bearing the entire burdens ourselves. Real leadership creates the conditions and coalitions for others to step up as well; to work with allies and partners so that they bear their share of the burden and pay their share of the costs; and to see that the principles of justice and human dignity are upheld by all.*⁶¹⁴

On the eve of adoption of Resolution 1973, Barack Obama referred to “the universal rights of the Libyan people” such as peaceful assembly, freedom of speech and self-determination. In order to fulfill those rights, he said, the world had to have one voice to cease the despotism and violence in Libya. He also reminded the Libyan government of its responsibility to respect the demands of its people and to allow international assistance to be delivered to those suffering.⁶¹⁵ As a sign of his multilateral approach to humanitarian intervention, Obama underscored that Libya was both the concern of the US and the whole world.⁶¹⁶ The US President Barack Obama supported the military involvement in Libya, which he regarded as a required humanitarian intervention for the US “interests and values” in his speech at the National Defense University in Washington D.C.⁶¹⁷ Having invoked the doctrine of “responsibility to protect”, he also stated that the international community had “responsibility to act” against the Libyan leader Moammer Qadhafi, whom he defined as a “tyrant” that attacked his own people. Under these circumstances, he argued that being president of the US brought the responsibility to reject to stand by the mass slaughter in Libya. Furthermore, he added that America had significant “strategic interests” to cease the violence in Libya since the war in Libya would create thousands of refugees that would escape to Egypt and Tunisia where there

⁶¹³ “The Second Presidential Debate”, **The New York Times**, 07.10.2008, <http://elections.nytimes.com/2008/president/debates/transcripts/second-presidential-debate.html> , (31.07.2013).

⁶¹⁴ “Remarks by the President in Address to the Nation on Libya”, **The White House Office of the Press Secretary**, 28.03.2011, <http://www.whitehouse.gov/the-press-office/2011/03/28/remarks-president-address-nation-libya> , (31.07.2013)

⁶¹⁵ Barack Obama, “Address on Libya: The Violence Must Stop”, **American Rhetoric**, 23.02.2011, <http://www.americanrhetoric.com/speeches/barackobama/barackobamalibya.htm>, (31.07.2013).

⁶¹⁶ Barack Obama, “Address on Libya: The Violence Must Stop”, **American Rhetoric**

⁶¹⁷ “Remarks by the President in Address to the Nation on Libya”, **The White House Office of the Press Secretary**

were peaceful democratic transitions. According to Obama, the US could not let the Qadhafi regime to ruin these peaceful regimes. The task for the United States was to allow the Libyan people to realize their aspirations and “stop a massacre”.⁶¹⁸ Obama also emphasized the multilateral character of the US action in Libya, which was conducted with close allies such as the UK, France, Canada, Denmark, Norway, Italy, Spain, Greece and Turkey as well as regional allies such as Qatar and the United Arab Emirates.⁶¹⁹ Obama explained that the superiority of that action owed to the US’s “unique ability to stop that violence”; the UNSC mandate for operation; the coalition of allies; Arab countries’ support; and the consent of Libyan people.⁶²⁰

Defense Secretary Robert M. Gates argued that even though the war in Libya did not pose a direct threat to the US interests, the Obama administration had a right to cease the massacre in Libya, which could have adversely affected the peaceful transitions in the Arab world.⁶²¹ The Secretary of State, Hillary Clinton, was clearer than Gates about the link between Libya and the national interests of the US when she said “[t]hey didn’t attack us, but what they were doing and Qaddafi’s history and the potential for the disruption and instability was very much in our interests, as Bob said, and seen by our European friends and our Arab friends as very vital to their interests.”⁶²²

The military intervention in Libya created domestic debates in the US. President Obama’s decision to make operation in Libya was criticized by many members of the US Congress due to the undertaking of the operation without consulting the Congress. Some Democratic lawmakers criticized Obama on the grounds that he went beyond constitutional authority by approving the attack to Libya without any Congressional permission.⁶²³ Obama defended his military

⁶¹⁸ “Remarks by the President in Address to the Nation on Libya”, **The White House Office of the Press Secretary**

⁶¹⁹ “Remarks by the President in Address to the Nation on Libya”, **The White House Office of the Press Secretary**

⁶²⁰ “The President Obama’s Speech on Libya”, **The White House**, 28.03.2011, <http://www.whitehouse.gov/photos-and-video/video/2011/03/28/president-obama-s-speech-libya#transcript>, (31.07.2013).

⁶²¹ Mark Landler and Thom Shanker, “Gates and Clinton Unite to Defend Libya Intervention and Say It May Last Awhile”, **The New York Times**, 27.03.2011, http://www.nytimes.com/2011/03/28/world/africa/28policy.html?_r=1&, (31.07.2013).

⁶²² Mark Landler and Thom Shanker, “Gates and Clinton Unite to Defend Libya Intervention and Say It May Last Awhile”, **The New York Times**

⁶²³ Charlie Savage, “Attack Renews Debate Over Congress Consent”, **The New York Times**, 21.03.2011,

authorization in Libya as “pursuant to my constitutional authority to conduct U.S. foreign relations and as commander in chief and chief executive.”⁶²⁴ Furthermore, he stated “[t]he United States has not deployed ground forces,” and was “conducting a limited and well-defined mission in support of international efforts to protect civilians and prevent a humanitarian disaster”.⁶²⁵

The approval of the Security Council of the military intervention in Libya also created skepticisms about the real intentions of the Western states, which did not intervene in the ongoing conflicts in Bahrain, Yemen and Syria. According to some scholars, the real intention behind the Libya intervention was regime change with the references of Resolutions to “legitimate demands of the Libyan people”.⁶²⁶ It is also claimed that the US interests were at stake due to Qadhafi’s intention to take the control of Libyan oil sector; any nationalization of the oil sector would put the US companies in a worse position regarding their energy share in Libya. In this sense, even though the Libyan leader Qadhafi had not been always regarded as “tyrant” since he was sometimes seen as a significant ally of the US as in the case of the “war on terror”, he had never been a reliable partner for economic deals.⁶²⁷ According to Wikileaks, the US administration was worried about the ‘Exploration and Production Agreements’ between Libya and European states, which strengthened Libya’s position due to the reduction of Europeans share and their extra payments to Libyan companies. The concern of the US was not to fall into the same position with the European oil companies.⁶²⁸ Furthermore, the fight between the Qadhafi regime and rebel forces dramatically reduced the oil production in Libya, and from the perspective of European oil companies and American oil companies like Hess,

http://www.nytimes.com/2011/03/22/world/africa/22powers.html?_r=2&scp=6&sq=libya%20congress&st=cse&, (31.07.2013)

⁶²⁴ Matthew C.Waxman, “ The Debate Over U.S. Libya Intervention”, **Council on Foreign Relations**, 28.03.2011, <http://www.cfr.org/libya/debate-over-us-libya-intervention/p24500>, (31.07.2013).

⁶²⁵ Matthew C.Waxman, “ The Debate Over U.S. Libya Intervention”, **Council on Foreign Relations**

⁶²⁶ Mehrdad Payandeh, “ The United Nations, Military Intervention, and Regime Change in Libya”, **Virginia Journal of International Law**, Vol.52, No. 2, 2011, p.387. See S/RES/1970 and S/RES/1973.

⁶²⁷ “Ghanam ‘Under The Gun’ to Collect Contributions for Claims Compensation Fund 1.(C)”, **The Telegraph**, 31.01.2011, <http://www.telegraph.co.uk/news/wikileaks-files/libya-wikileaks/8294932/GHANEM-UNDER-THE-GUN-TO-COLLECT-CONTRIBUTIONS-FOR-CLAIMS-COMPENSATION-FUND-1.C.html>, (31.07.2013).

⁶²⁸ “European Oil Companies Extend Contracts in Libya 1. (SBU)”, **The Telegraph**, 31.01.2011, <http://www.telegraph.co.uk/news/wikileaks-files/libya-wikileaks/8294850/EUROPEAN-OIL-COMPANIES-EXTEND-CONTRACTS-IN-LIBYA-1.SBU.html> , (31.07.2013).

Conoco Philips and Marathon, the end of Libyan war would be more profitable for their shares. The long-lasting conflict in Libya affected adversely the oil and gasoline prices in the US as a result of the decreasing of 'high-quality' crude oil in the world oil markets. Furthermore, the spokesmen of opposition group gave signal to establish good relations with the Western companies when they took the control of the country.⁶²⁹ This was an opportunity for Western states since the Qadhafi government was not a trusted partner for international oil companies with its demands of extra fees and taxes. A new Libyan government could be a more reliable partner for oil companies, and Western companies could discover more oil in Libya without the restrictions that had been put by the Qadhafi government.⁶³⁰ It has been argued that beside the humanitarian impulse, these economic interests were trigger for the US support to international intervention in Libya.⁶³¹

3.1.2. The United Kingdom

The states that were the most willing to undertake military action against Libya were France and the United Kingdom. They put all their efforts into the adoption of Resolution 1973 and made a big military contribution to NATO operation. This was surprising for many scholars because both governments tended to be reluctant to use force without the US leading and they were in agreement about the devastating effects of the 2003 Iraq War.⁶³² According to Time, both governments believed that the multilateral effort of the international community could make world more stable and secure instead of the US unilateral action. Furthermore, both governments agreed with the Blair Doctrine according to which "[i]naction is a decision, a policy with consequences. The wish to keep out of it all is

⁶²⁹Clifford Krauss "The Scramble for Access to Libya's Oil Wealth Begins", **The New York Times**, 23.08.2011, http://www.nytimes.com/2011/08/23/business/global/the-scramble-for-access-to-libyas-oil-wealth-begins.html?pagewanted=all&_r=0, (31.07.2013).

⁶³⁰Clifford Krauss "The Scramble for Access to Libya's Oil Wealth Begins", **The New York Times**

⁶³¹ Liz Peek, "Libya: What's Really Behind the U.S. Action", **The Fiscal Times**, 30.03.2011. <http://www.thefiscaltimes.com/Columns/2011/03/30/Libya-Whats-Really-behind-the-US-Action.aspx#page1>, (31.07.2013).

⁶³² Jason W. Davidson, "France, Britain and the Intervention in Libya: an integrated analysis", **Cambridge Review of International Affairs**, Vol. 26. No.2, 2013,p. 310.

entirely understandable; but it is every bit as much of a decision as acting.”⁶³³ Some journalists also emphasized the impact of the UN failure in Srebrenica massacre in 1995 on the British Prime Minister David Cameron’s decision to make operation in Libya.⁶³⁴ In this sense, the deteriorating situation in Libya stimulated Cameron government to use the R2P doctrine in order not to repeat the humanitarian slaughter as in Srebrenica. During the Security Council meeting on 17 March 2011, the UK delegation stated that the UK government pressurized the SC members to adopt Resolution 1973 because the international community was waiting for the SC to stop the brutality of the Al-Qadhafi regime.⁶³⁵ Furthermore, the UK delegation emphasized the demands of Libyan people as to the universal human rights that could be possible only by stopping the violence in Libya.⁶³⁶ In line with that rhetoric the UK government sent 37 aircraft and four ships, and launched more than 2100 air attacks against Libya.⁶³⁷

During his speech at the House of Commons on 17 March 2011, the British Prime Minister David Cameron identified the intervention in Libya as “demonstrable need” for stopping the Qadhafi regime that “have attacked peaceful protesters, and are now preparing for a violent assault on a city, Benghazi”.⁶³⁸ The British Prime Minister David Cameron adopted a humanitarian discourse and supported the military action against the Qadhafi regime; he thought that the intervention was “necessary,...legal and...right”. He said that “right, because I don't believe that we should stand aside while this dictator murders his own people.”⁶³⁹ Furthermore, Cameron stated in an interview with the BBC that if Qadhafi ‘continues to slaughter

⁶³³ Michael Elliot, “ Viewpoint: How Libya Became a French and British War”, **Time** , 19.03.2011, <http://www.time.com/time/world/article/0,8599,2060412,00.html>, (31.07.2013).

⁶³⁴ James Blitz, “ Cameron ardent in support of rebels in Libya”, **The Financial Times**, 09.03.2011, <http://www.ft.com/cms/s/0/f279b98a-4a9b-11e0-82ab-00144feab49a.html#axzz2Y4LfuIYR> , (31.07.2013).

⁶³⁵ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**, 17.03.2011, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6496, (07.08.2013).

⁶³⁶ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**

⁶³⁷ “ The UK’s contribution to freeing Libya”, **the UK Government Ministry of Defense**, 05.01.2012, <https://www.gov.uk/government/news/the-uks-contribution-to-freeing-libya--2>, (31.07.2013).

⁶³⁸ “Daily Hansard Debate”, **The UK Parliament House of Commons** , 18.03.2011, <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110318/debtext/110318-0001.htm>, (31.07.2011).

⁶³⁹ Michael Elliot, “ Viewpoint: How Libya Became a French and British War”, **Time** ,

his own civilians, we have to make him stop’.⁶⁴⁰ Following the Qadhafi’s violation of his own ceasefire, Cameron emphasized the role of international community by stating, “[h]e continues to brutalize his own people and so the time for action has come. It needs to be urgent, we have to enforce the will of the United Nations and we cannot allow the slaughter of civilians to continue.”⁶⁴¹ The military intervention in Libya was also debated in the House of Commons in which David Cameron succeeded to get the support of most of the parliamentarians for the UN-backed operation in Libya.⁶⁴² David Cameron told the MPs that the primary objective of Resolution 1973 was to cease the violence, save Libyan people and assist Libyan people to shape their future on their own without Qadhafi regime’s barbarity.⁶⁴³ A Member of Parliament, Jim Murphy, expressed his support to the military intervention in Libya by pointing out the responsibilities of the UK beyond its national borders. According to him, protecting civilians from humanitarian massacre were “just” and multilateralism was the best choice to intervene for saving people.⁶⁴⁴ However, some MPs were against the action as they were concerned about the extent of the operation and its post-conflict strategy. For instance, MP Dennis Skinner asked Cameron “[i]t is easy to get into a war; it is harder to end it. When will we know what the circumstances are for pulling out and ending the war?”⁶⁴⁵ Cameron answered that the Libyan intervention would be different from Iraq and would not include the overthrow of the government; protecting people in Libya and assisting them to have a voice for their future would be the objectives of the intervention.⁶⁴⁶ On the other hand, MP Natascha Engel criticized the government’s policy on the grounds that there was huge unpredictability about the consequences of the Libyan conflict and she added that David Cameron should not be so certain that the

⁶⁴⁰ Vivienne Walt, “Libya: How a No-Fly Zone Can Become a Red Hot Mess”, **Time**, 19.03.2011, <http://www.time.com/time/world/article/0,8599,2060402,00.html>, (31.07.2011).

⁶⁴¹ “Sarkozy: ‘It’s a grave decision we’ve had to take’”, **NBC News**, http://www.nbcnews.com/id/42171603/ns/world_news-mideast_n_africa/t/sarkozy-its-grave-decision-weve-had-take/#.UgIg4tKSJXM, (07.08.2013).

⁶⁴² “Daily Hansar Debates”, **The UK Parliament House of Commons**, 18.03.2011, <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110318/debtext/110318-0001.htm#11031850000009>, (31.07.2013).

⁶⁴³ “Daily Hansar Debates”, **The UK Parliament House of Commons**

⁶⁴⁴ Jim Murphy, “The UK’s responsibilities beyond our borders”, **LabourList**, 28.06.2011, <http://labourlist.org/2011/06/the-uks-responsibilities-beyond-our-borders/>, (31.07.2013).

⁶⁴⁵ “MPs back United Nations action against Col Gadhafi”, **BBC News**, 22.03.2011, <http://www.bbc.co.uk/news/uk-politics-12799937>, (31.07.2013).

⁶⁴⁶ “MPs back United Nations action against Col Gadhafi”, **BBC News**

intervention would not transform the conflict more “complex and dangerous”.⁶⁴⁷ However, despite these oppositions, the majority of MPs was in favor of Resolution 1973 and supported the government’s action in Libya.

Despite the value-based approach of the British government, it has been claimed that the UK had also domestic and international interests to intervene in Libya. During the initial phase of the conflict, British Prime Minister David Cameron was exposed to strong domestic criticisms for having acted slowly to evacuate the British citizens from Libya which has been interpreted as the weakness of the UK government even to protect its own citizens. In order to prove its strength of protecting both British citizens and Libyan people who suffered from the Qadhafi regime’s brutality, the UK government became more active during the later phases of the war.⁶⁴⁸ As a more important motivation, it was argued that the energy interests of the UK played a significant role in the Libyan conflict. The British energy oil company British Petroleum (BP) had no presence in Libya despite its agreement with Tripoli to probe oil in 2007. BP declared its investment plans in Libyan oil production for the next 20 years that did not come to existence. The overthrow of Qadhafi who was not a reliable trade partner and then the establishment of a Western-friendly government in Libya could serve the interests of the United Kingdom.⁶⁴⁹ David Cameron also said that the intervention in Libya was in favor of the UK in the sense that, “[i]t is in our national interest that countries on Europe's edge are able to evolve to more open and democratic systems.”⁶⁵⁰ He continued “[i]f Gadhafi's attacks on his own people succeed; Libya will once again become a pariah state, festering on Europe's southern border. A source of instability, exporting strife beyond its borders.”⁶⁵¹ In response to a question about why the UK government did not adopt more strong action against Yemen that violated human rights, Cameron emphasized the superiority of national interest by stating “just because we cannot do

⁶⁴⁷ “Daily Hansard Debates”, **The UK Parliament House of Commons**

⁶⁴⁸ “France, U.K. Have Differing Motives for Intervening in Libya”, **Forbes**, 29.03.2011, <http://www.forbes.com/sites/energysource/2011/03/29/france-u-k-have-differing-motives-for-intervening-in-libya/>, (31.07.2013).

⁶⁴⁹ “France, U.K. Have Differing Motives for Intervening in Libya”, **Forbes**

⁶⁵⁰ Hannah Brenton, “Cameron: Libyan Action in ‘national interest’”, **Politics.co.uk**, 18.03.2011, <http://www.politics.co.uk/news/2011/3/18/cameron-libyan-action-in-national-interest>, (31.07.2013).

⁶⁵¹ Hannah Brenton, “Cameron: Libyan Action in ‘national interest’”, **Politics.co.uk**.

the right thing everywhere does not mean we should not do it when we have clear permission for and a national interest in doing so”.⁶⁵² According to the Financial Times columnist Philip Stephens, the Cameron government also intended to increase the international prestige of the country by giving the message ‘Britain has shown it still matters in the world’.⁶⁵³ The justification of Deputy Prime Minister Nick Clegg about strong action in Libya is worth to be quoted:

*This is a region vital to UK and EU interests. If people in the UK ask why, I would point at the efforts in recent weeks to rescue British nationals caught up in the turbulent events, at the level of human migration from North Africa to Europe, at the level of trade and investment between Europe and North Africa, and its importance to us in terms of energy, the environment and counter-terrorism. North Africa is just 14 miles from Europe at its closest point, what happens to our near neighbors affects us deeply.*⁶⁵⁴

3.1.3. France

France was the most active state dealing with the Libyan crisis and it was the first country to take action against the Qadhafi regime. One day after the adoption of Resolution 1973, French planes entered Libya “to intervene against tanks, armored vehicles threatening unarmed civilians”, the French President, Nicholas Sarkozy, explained.⁶⁵⁵ Sarkozy invoked humanitarian necessity and the R2P doctrine before the adoption of Resolution 1973 by describing the Libyan’s regime’s crackdown as ‘brutal and bloody’, which, according to him, required the international community to take action against “massive violations of human rights”.⁶⁵⁶ Sarkozy also gave signals of his welcome to more democratic states in North Africa by saying “[t]hese

⁶⁵²“Daily Hansard Debates”, **The UK Parliament House of Commons**, 21.03.2011, <http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110321/debtext/110321-0001.htm#1103219000003>, (31.07.2013).

⁶⁵³ Jason W. Davidson, “France, Britain and the Intervention in Libya: an integrated analysis”, **Cambridge Review of International Affairs**, p. 324.

⁶⁵⁴ “Nick Clegg: Transforming Europe’s partnership with North Africa”, **Liberal Democrats**, 02.03.2011, http://www.libdems.org.uk/speeches_detail.aspx?title=Nick_Clegg:_Transforming_Europe%E2%80%99s_partnership_with_North_Africa&pPK=a49917ad-3002-4d87-bc66-3fb28721e1cc, (31.07.2013).

⁶⁵⁵ “France Takes Lead in Coalition Strikes Against Libya”, **National Public Radio**, 19.03.2011, <http://www.npr.org/2011/03/19/134690961/France-Takes-Lead-In-Coalition-Strikes-Against-Libya>, (07.08.2013).

⁶⁵⁶ Sudarsan Raghavan, “New clashes reported in Tripoli; U.S. citizens to evacuate”, **Washington Post**, 23.02.2011, <http://www.washingtonpost.com/wp-dyn/content/article/2011/02/22/AR2011022203488.html>, (31.07.2013).

Arab revolutions have opened a new era in our relations with these countries and we should not be afraid of this change” from those who share “the values we hold most dear of human rights and democracy.”⁶⁵⁷ During the SC meetings, France’s ambassador to the UN, Gerard Araud, reinforced that attitude by stating ‘crimes against humanity may be being committed in Libya’.⁶⁵⁸

During the crisis, Sarkozy adopted a humanitarian discourse about the Libyan intervention by stating, “[i]f we intervene on the side of the Arab nations it is because of a universal conscience that cannot tolerate such crimes.”⁶⁵⁹ On 17 March 2011 the Foreign Minister Alain Juppé explained the necessity of humanitarian intervention in Libya as ‘every day, every hour that passes tightens the vice of the forces of repression on the liberty-loving civilian population, notably the population of Benghazi’.⁶⁶⁰ He also explained the priorities of the UNSC as “[w]e must not give free rein to warmongers; we must not abandon civilian populations, the victims of brutal repression, to their fate; we must not allow the rule of law and international morality to be trampled underfoot.”⁶⁶¹ Following the adoption of Resolution 1973, French President Sarkozy told the journalists that Qadhafi had “totally ignored the warning” to stop his brutality against the rebels. Arguing “in Libya a peaceful civilian population demanding nothing more than the right to choose its own destiny is in mortal danger”,⁶⁶² Sarkozy also emphasized the role of international community by saying “[i]t is our duty to respond to their anguished appeal.”⁶⁶³ As a result, France was the first country that started to act militarily against the Qadhafi regime with its approximately 60 aircraft and 5600 air attacks.⁶⁶⁴ Furthermore, it was the

⁶⁵⁷ Steven Erlanger, “French Aid Bolsters Libyan Revolt”, **The New York Times**

⁶⁵⁸ “United Nations Security Council 6491st Meeting”, **United Nations Security Council**

⁶⁵⁹ Michael Elliot, “Viewpoint: How Libya Became a French and British War”, **Time**

⁶⁶⁰ “Conseil De Securite –Libye-Intervention De M.Alain Juppe, Ministre D’etat, ministre Des Affairs Etrangeres Et Europeennes”, **La France A L’Onu**, 17.03.2011, <http://www.franceonu.org/la-france-a-l-onu/espace-presse/interventions-en-seance-publique/conseil-de-securite/article/17-mars-2011-conseil-de-securite-5443>, (31.07.2013).

⁶⁶¹ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**

⁶⁶² Vivienne Walt, “Libya: How a No-Fly Zone Can Become a Red Hot Mess”, **Time**

⁶⁶³ Vivienne Walt, “Libya: How a No-Fly Zone Can Become a Red Hot Mess”, **Time**

⁶⁶⁴ “Actualites”, **Ministere De La Defense**, <http://www.defense.gouv.fr/operations/liban/actualites>, (31.07.2013).

first country that recognized the Libyan National Transitional Council as the legitimate organ of the Libyan people.⁶⁶⁵

It has been claimed that the President Sarkozy attempted to take a leading role in Libya due to his calculations at home and abroad. It is argued that Sarkozy has always used active foreign policy to have popularity in domestic policy; for instance, he insisted to be a mediator in the ceasefire between Russia and Georgia in 2008 that increased his prestige among his constituents. With his active foreign policy in the Libyan crisis, he might have expected to increase his votes at the French presidential election that was not more than a year away.⁶⁶⁶ Given the support of French public and the opposition Socialist Party, Sarkozy government was aware of the political gain of Libyan intervention.⁶⁶⁷ According to New York Times editorial, Sarkozy tried to increase his prestige and “saw Libya as a chance to recoup French prestige in North Africa, a region France has long considered important to its economy and security”.⁶⁶⁸ Apart from his interests in domestic politics, France also intended to reannounce its position as the militarily most powerful European state, which gave the message that Europe should consider French military power in order to be a ‘global power’ in world politics.⁶⁶⁹ Securing France from the possible terrorist attacks of Qadhafi and having continued access to Libyan oil were also important factors that led to the French activism in Libya. According to Zaki Laidi, the French government was concerned that if the UNSC became content with Resolution 1970 and did not take action against the Qadhafi regime, it would “re-emerge with more violence against his people and probably also against governments that opposed him”.⁶⁷⁰ In terms of French energy interests, French energy company Total SA could benefit more if rebellion groups took the control of Tripoli given the fact that French

⁶⁶⁵ Angelique Chrisafis, “Sarkozy hopes Libya can boost France’s reputation- as well as his own”, **The Guardian**, 01.09.2011, <http://www.guardian.co.uk/world/2011/sep/01/sarkozy-libya-france-reputation-reelection>, (31.07.2013).

⁶⁶⁶ “France, U.K. Have Differing Motives for Intervening in Libya”, **Forbes**

⁶⁶⁷ Jason W. Davidson, “France, Britain and the Intervention in Libya: an integrated analysis”, **Cambridge Review of International Affairs**, p. 320.

⁶⁶⁸ “Discord Among Allies”, **The New York Times**, 23.03.2011, http://www.nytimes.com/2011/03/24/opinion/24thu1.html?_r=0, (31.07.2013).

⁶⁶⁹ “France, U.K. Have Differing Motives for Intervening in Libya”, **Forbes**

⁶⁷⁰ Zaki Laidi, “The west will rue not helping Libya’s rebels”, **Financial Times**, 16.03.2011, <http://www.ft.com/intl/cms/s/0/c7c714ee-5004-11e0-9ad1-00144feab49a.html#axzz2Y4LfuIYR>, (31.07.2013).

government regarded the Qadhafi regime as an unreliable partner for energy issues.⁶⁷¹ Furthermore, the refugee problem that followed the Libyan crisis was a great concern for France. According to Amnesty International more than 300,000 refugees fled to Europe and only less than 700 people could grant refugee status. The number of people who could be granted the status of refugee demonstrated the failure of European states to assist people who suffered from the Libyan regime.⁶⁷² On 25 February 2011, Sarkozy expressed his discontent about the adverse effects of migration on the stability of European borders. He said that Europeans have pursued active policy during the Libya crisis ‘because we are geographical neighbors and we are, therefore, among the first impacted and affected.’⁶⁷³

3.1.4. Russian Federation

In the second decade of the twenty-first century, Russia has defined itself as a “great power” that has international responsibilities and a key role in international involvements.⁶⁷⁴ Furthermore, Russia’s National Security Strategy to 2020 underlined the pragmatism in Russian foreign policy for having more voice in the world politics.⁶⁷⁵ On the other hand, it also acknowledged the importance of Russia for the UN and the UNSC about preserving the stability of international system and protecting the respect for equal rights of sovereign states.⁶⁷⁶ The Russian foreign policy strategy showed itself in Libyan crisis with the support for Resolution 1970 and abstention on Resolution 1973. Even though Russia did not veto any UNSC resolution regarding Libya crisis, concept of the Foreign Policy of the Russian Federation in 2013 demonstrated its opposition to the use of force and the UN

⁶⁷¹ “France, U.K. Have Differing Motives for Intervening in Libya”, **Forbes**

⁶⁷² “Libya: Totally inadequate response by EU states to refugees stuck in limbo”, **Amnesty International**, 19.09.2011, <http://www.amnesty.org/en/news-and-updates/report/libya-totally-inadequate-response-eu-states-refugees-stuck-limbo-2011-09-19>, (31.07.2013).

⁶⁷³ Jason W. Davidson, “France, Britain and the Intervention in Libya: an integrated analysis”, **Cambridge Review of International Affairs**, p. 316.

⁶⁷⁴ Alexander Nikitin, “Russia as a Permanent Member of the UN Security Council”, **International Policy Analysis**, 2012, p. 2.

⁶⁷⁵ “Russia: National Security Strategy to 2020”, **International Relations and Security Network**, 12.05.2009, <http://www.isn.ethz.ch/Digital-Library/Publications/Detail/?id=154915>, (07.08.2013).

⁶⁷⁶ “Russia: National Security Strategy to 2020”, **International Relations and Security Network**

Resolutions that authorized military force to protect civilians since the Concept criticized some UN resolutions, which it saw as willing to change “legitimate authorities” of sovereign states.⁶⁷⁷

Given the Russia’s sensitivity about the territorial integrity of sovereign states and the principle of non-intervention, Russia approached the military intervention in Libya with caution from the beginning of the crisis. Even though Russia voted for Resolution 1970 which only imposed economic and diplomatic sanctions on the Libyan regime, it gave signal that it would not support any interference in Libya during the SC meeting on 26 February 2011. The Russian Ambassador stated:

*a settlement of the situation in Libya is possible only through political means. In fact, that is the purpose of the resolution ... which imposes targeted, clearly expressed, restrictive measures with regard to those guilty of violence against the civilian population. However, it does not enjoin sanctions, even indirect, for forceful interference in Libya’s affairs, which could make the situation worse.*⁶⁷⁸

The Russian Federation abstained on Resolution 1973, with various political justifications from the Russian officials. On 22 March 2011, Russian President Dmitry Medvedev explained the reason of its government’s abstention by stating that all the UN Resolutions should have the objective of maintaining peace rather than escalating the civil war.⁶⁷⁹ He also expected from the countries that got involved in the operation to respect Libyan territorial integrity and the lives of civilians. However, he expressed his disappointment with the Western countries’ actions that killed civilian people instead of protecting them. To the question of why Russia did not use its veto power for Resolution 1973, Medvedev said that the Russian government was also in agreement with other SC members about the gravity of the situation in Libya and necessity of stopping violence there. The contested point between Russia and other SC members was using force in Libya; however, he added that Qadhafi regime’s crackdown and its violent methods were intolerable for the

⁶⁷⁷“Concept of the Foreign Policy of the Russian Federation”, **The Ministry of Foreign Affairs of the Russian Federation**, 12.02.2013,

http://www.mid.ru/brp_4.nsf/0/76389FEC168189ED44257B2E0039B16D, (31.07.2013).

⁶⁷⁸“United Nations Security Council 6491st Meeting”, **United Nations Security Council**

⁶⁷⁹“Statement by Dmitry Medvedev on the situation in Libya”, **Kremlin.ru.**, 21.03.2011, <http://eng.kremlin.ru/news/1933>, (31.07.2013).

international community.⁶⁸⁰ In this regard, Medvedev also adopted a ‘value-based’ attitude, which until then was not observed in Russian foreign policy.⁶⁸¹ Overall, his statements made clear that Russia would by no means join the military operations in Libya; however, it would be part of political negotiations with Libya through the assistance of the UNSC and the Arab League.⁶⁸² During the UNSC meeting, Vitali Churkin from the Russian delegation explained the main reason behind their abstention as the “unacceptability of the use of force against the civilian population of Libya”.⁶⁸³ Having emphasized that they shared common humanitarian values with other SC members, Churkin stated that Russian government did not block the adoption of this resolution. However, he also pointed out that Russia would not accept any responsibility of “the inevitable humanitarian consequences of the excessive use of outside force in Libya”.⁶⁸⁴

Following the start of Western air attacks against Libya, the Russian Prime Minister Vladimir Putin harshly criticized the NATO airstrikes, which he regarded as “a mediaeval call for a crusade”. He stated that the operation in Libya was an obvious violation of the principle of sovereignty and demands of the Libyan people.⁶⁸⁵ Even though the Russian President Dmitry Medvedev was against the military operation in Libya, he criticized the harsh explanations of Putin. Medvedev said that Putin’s description of Libya intervention as ‘crusade’ was ‘unacceptable’ by stating “[u]nder no circumstances is it acceptable to use expressions which essentially lead to a clash of civilizations, such as “crusade” and so on.”⁶⁸⁶ In this sense, even though Medvedev’s explanation did not reflect disagreement in Russian foreign policy about the military operations in Libya, it showed that Medvedev was

⁶⁸⁰ “Statement by Dimitry Medvedev on the situation in Libya”, **Kremlin.ru**.

⁶⁸¹ Eugene Ivanov, “Russia’s response to the Libya crisis: a paradigm shift?”, **Russia Beyond The Headlines**, 25.03.2011, http://rbth.ru/articles/2011/03/25/russias_response_to_the_libyan_crisis_a_foreign_policy_paradigm_shift_12617.html, (31.07.2013).

⁶⁸² “Statement by Dimitry Medvedev on the situation in Libya”, **Kremlin.ru**.

⁶⁸³ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**

⁶⁸⁴ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**,

⁶⁸⁵ Ellen Barry, “Putin Criticizes West for Libya Incursion”, **The New York Times**, 26.04.2011, <http://www.nytimes.com/2011/04/27/world/europe/27putin.html>, (31.07.2013).

⁶⁸⁶ “Medvedev Rejects Putin ‘crusade’ remark over Libya”, **BBC News**, 21.03.2011, <http://www.bbc.co.uk/news/world-europe-12810566>, (31.07.2013).

in a more cooperative position with the UNSC members as to the future political solutions for Libya.

The Russian Foreign Minister Sergey Lavrov's statements proved that there was no departure from Russia's attitude about the use of force in Libya. Lavrov publicly criticized the Libyan operation by saying "[w]e believe that the coalition's intervention in the civil war [in Libya] has not, essentially, been sanctioned by the UN Security Council resolution". He added that "[t]his resolution contains no other goals" beyond protecting civilians, however the NATO military operation in Libya exceeded the aim of this resolution.⁶⁸⁷ Furthermore, Lavrov described the implementation of Resolution 1973's no-fly zone over Libya as "superfluous" and added that Resolution 1970, which imposed sanctions against Libya, would be sufficient to cease the Libyan crisis.⁶⁸⁸ In spite of Russia's opposition to military action in Libya, on 27 May 2011 Russia joined the G8 states' statement to the effect that "Gaddafi and the Libyan government have failed to fulfill their responsibility to protect the Libyan population and have lost all legitimacy. He has no future in a free, democratic Libya. He must go."⁶⁸⁹ In this sense, Russia was part of the powerful states that pressurized Qadhafi to resign.

The abstentions of Russia and China on using force in Libya showed that there could be some hope for the consolidation of the R2P doctrine. On the other hand, according to some authors, Russia along with China was convinced to the action in Libya due to the support of regional actors such as the Arab League. Furthermore, the US President Obama's intense diplomatic dialogue with Russian officials could create support for Resolution 1973.⁶⁹⁰ However, the Libyan war adversely affected the Russian economic interests. For instance, Rosoboron export

⁶⁸⁷ "Intervention in Libya at odds with UN resolution-Russia's Lavrov", **Ria Novosti**, 28.03.2011, <http://en.rian.ru/russia/20110328/163245789.html>, (31.07.2013).

⁶⁸⁸ "The world should NOT take military action against Gadhafi, says Russian diplomat as he undermines Cameron's plan for no-fly zone", **Mail Online**, 01.03.2011, <http://www.dailymail.co.uk/news/article-1361821/Libya-Russias-Sergey-Lavrov-undermines-Camersons-fly-zone-Gaddaf.html>, (31.07.2013).

⁶⁸⁹ Patrick Wintour and Kim Willsher, "G8 Summit: Gadhafi isolated as Russia joins demand for Libyan leader to go", **The Guardian**, 27.05.2011, <http://www.guardian.co.uk/world/2011/may/27/g8-gaddafi-libya-russia>, (31.07.2013).

⁶⁹⁰ Bruce D. Williams, "Libya and the Responsibilities of Power", **Survival: Global Politics and Strategy**, Vol.53, No. 3, 2011, p. 54.

company's economic loss was more than \$4 billion.⁶⁹¹ Moreover, due to Resolution 1970 which imposed an arms embargo on Libya, Russia had to stop its export of weapons to the Qadhafi regime.⁶⁹² The Russian government had also billions of dollar worth of energy and infrastructure agreements with the Qadhafi regime and their possible cancellation was a great concern for Russian officials.⁶⁹³ The state-owned Russian Railways had a project of establishing high-speed 550-kilometer railway line in Libya that would be endangered with the overthrow of Qadhafi. In addition, the leading Russian oil companies, including Gazprom, Neft and Tatneft had also important links with the Libyan regime. The instability and uncertainty in Libya could put these economic interests at risk.⁶⁹⁴ Because of these reasons, Russia was concerned about NATO's operation in Libya; however, when NTC declared the Libyan independence, Russia was among the first countries that recognized it as the legitimate representative of Libya.⁶⁹⁵ The recognition of new government was important for Russia in the sense that a friendly government could serve the economic interests of Russia in Libya. Despite all these risks related to overthrowing the Qadhafi regime, according to some writers, Russia's decision to abstain on Resolution 1973 was a proof of "pragmatism" of Russian foreign policy. Accordingly, the veto of this resolution would have led to harsh criticisms in the Western media. On the other hand, voting for this resolution would have imposed the burden of civilian deaths that Russia was opposed from the beginning of the crisis. From the realpolitik perspective, there was ongoing dialogue between Russia and NATO about the European missile defense system, and vetoing the resolution could have alienated its Western co-partners that would mean the isolation of Russia in the missile defense debate.⁶⁹⁶

⁶⁹¹ "Libyan war damages Russia's economic interests", **pravda.ru**, 24.03.2011, http://english.pravda.ru/business/finance/24-03-2011/117309-libya_russia-0/, (31.07.2013).

⁶⁹² "Russia bans Libya arms exports: Kremlin", **Space War**, 10.03.2011, http://www.spacewar.com/reports/Russia_bans_Libya_arms_exports_Kremlin_999.html, (31.07.2013).

⁶⁹³ "Russia to protect economic interests in Libya", **Ria Novosti**, 02.09.2011, <http://en.rian.ru/world/20110902/166379636.html>, (31.07.2013).

⁶⁹⁴ "Russia to protect economic interests in Libya", **Ria Novosti**

⁶⁹⁵ "Russia to protect economic interests in Libya", **Ria Novosti**

⁶⁹⁶ Eugene Ivanov, "Russia's response to the Libya crisis: a paradigm shift?", **Russia Beyond The Headlines**

3.1.5. China

As in the case of Russia, China voted for Resolution 1970 which imposed economic and political sanctions against the Libyan regime. During the SC meeting, the Chinese delegation underlined the emergency of situation of Libya and the necessity of maintaining “stability and normal order” in the country by using peaceful means.⁶⁹⁷ However, China abstained on Resolution 1973 along with the other permanent UNSC member, Russian Federation. During the relevant UNSC meeting, the Chinese delegation explained the traditional privileges of China in the international politics, which have been respect for state sovereignty and independence. In this regard, he pointed out the importance of territorial integrity of Libya. He also stated the opposition of Chinese government to the use of force by repeating that “China is always against the use of force in international relations.”⁶⁹⁸ Given the fact that Chinese government saw the failure of Resolution 1973 to respect these international norms, it abstained on the relevant Resolution. However, the reason why China did not use its veto power was its support to the African Union’s and the Arab League’s efforts to find a political solution in Libya.⁶⁹⁹ In this sense it can be said that China was also concerned about the international isolation in the region regarding the issues of peace and security.⁷⁰⁰

Following the start of military strikes against Libya as a result of Resolution 1973, the head of Chinese delegation, Li Baodong, reminded the need for “the complete and strict implementation of the relevant resolutions of the Security Council.” Having re-emphasized the superiority of sovereignty and territorial integrity of Libya, Li Baodong stated, “[t]he internal affairs and fate of Libya must be left up to the Libyan people to decide.”⁷⁰¹ As the military intervention to Libya lasted long, China increased the level of its criticisms during the SC meetings; the Chinese delegation stated “there must be no attempt at regime change or involvement

⁶⁹⁷ “United Nations Security Council 6491st Meeting”, **United Nations Security Council**

⁶⁹⁸ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**

⁶⁹⁹ “United Nations Security Council 6496th Meeting”, **United Nations Security Council**

⁷⁰⁰ Andrew Garwood-Gowers, “China and the “Responsibility to Protect”: Implications of the Libyan Intervention”, **Asian Journal of International Law**, Vol. 2., No.2, 2012,p. 390.

⁷⁰¹ “United Nations Security Council 6528th Meeting”, **United Nations Security Council**, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6528, (07.08.2013).

in civil war by any party under the guise of protecting civilians.”⁷⁰² As an important reaction, the Chinese government also brought up the question of R2P during the same SC meeting and Li Baodong expressed his government’s suspicion by stating that there were different perspectives about the R2P and the works about this issue should be undertaken by the General Assembly.⁷⁰³ Furthermore, in order to emphasize the uniqueness of the Libya case and avoid its repetition in other cases, he stated “conflict situations vary, and there must be no one-size-fits-all approach to the protection of civilians.”⁷⁰⁴ Moreover, the Chinese Foreign Ministry expressed without delay its ‘regret’ over air strikes against Libya by stating ‘[w]e hope stability can be restored in Libya as soon as possible so as to avoid more civilian casualties caused by the escalation of military conflict.’⁷⁰⁵

It has been commented that the most important reasons behind the China’s opposition to the Libyan military intervention were the huge economic and oil interests of China in Libya. During the Qadhafi regime, China was part of important projects that were worth of more than \$18 billion until the Libyan crisis broke out. China was also concerned about the new government’s approach to China regarding the profitable oil trade, which was in favor of China during the former regime.⁷⁰⁶ Furthermore, China was the third-largest consumer of Libyan oil just after Italy and France. Given the adverse impact of Libyan conflict on the oil prices in China, the crisis in Libya was a big strike for the oil-hungry Chinese industry.⁷⁰⁷ However, some analysts believe that China tried to balance between its principle of ‘non-interference’ and its national interests by abstaining on Resolution 1973 rather than vetoing it. Even though the military intervention in Libya clashed with the economic interests of China, vetoing Resolution 1973 would have isolated China in the eyes of members of the Arab League and the African Union which supported the no-fly zone

⁷⁰² “United Nations Security Council 6531th Meeting”, **United Nations Security Council**, 10.05.2011, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6531, (07.08.2013).

⁷⁰³ “United Nations Security Council 6531th Meeting”, **United Nations Security Council**

⁷⁰⁴ “United Nations Security Council 6531th Meeting”, **United Nations Security Council**

⁷⁰⁵ Richard Weitz, “West’s Diplomacy Trumps China Fear”, **The Diplomat**, 05.04.2011, <http://thediplomat.com/2011/04/05/west%E2%80%99s-diplomacy-trumps-china-fear/>, (31.07.2013).

⁷⁰⁶ “China’s Evolving Foreign Policy: The Libyan Dilemma”, **The Economist**, 10.09.2011, <http://www.economist.com/node/21528664>, (31.07.2013).

⁷⁰⁷ “China’s interests in Gadhafi”, **AlJazeera**, 14.04.2011, <http://www.aljazeera.com/indepth/opinion/2011/04/201141195046788263.html>, (31.07.2013).

over Libya. Thus, China could have lost its important energy deals with the Middle East and North Africa countries, which practically meant the loss of half of its oil imports.⁷⁰⁸

Overall, China's caution about the R2P doctrine and use of force in the world politics demonstrates that China continues to refuse to support using force (including multinational) to make pressure on the states where violence erupts. China's 2011 white paper on "China's peaceful development" has re-acknowledged China's reservation about future humanitarian interventions; it described principles of China's foreign policy strategy as respect for non-interference, state sovereignty and territorial integrity in international system.⁷⁰⁹ In conclusion, it can be said that even though the Libya intervention has been carried out by the United Nations by invoking the international community's responsibility to protect people, the implementation of the R2P in Libya created doubts about the real intention of the UNSC members as the military operation in Libya exceeded the Resolution 1973. Thus, it was too early for thinking that the R2P doctrine became consolidated and gained legitimacy among international community due to deficiencies of its true implementation.

3.2. THE CONFLICT IN SYRIA

As part of the Arab Spring protests in the Middle East and North Africa, the Syrian crisis started in March 2011 two months after the Libyan crisis broke out. Syrian people have been governed by the authoritarian Baath party which has been based on one leader from the al-Assad family since 1963 and, thus, it is not surprising that the Assad regime was also influenced by the Arab Spring protests that demanded more democracy and freedom. The residents in the southern city of Daraa began to protest against the authoritarian Bashar al-Assad regime for its arrest of

⁷⁰⁸ Keith B. Richburg, "China, after abstaining in U.N. vote, criticizes airstrikes on Gadhafi forces", **The Washington Post**, 21.03.2011, http://articles.washingtonpost.com/2011-03-21/world/35208871_1_gaddafi-libya-china, (31.07.2013).

⁷⁰⁹ "Full Text: China's Peaceful Development", **English. News.cn**, 06.09.2011, http://news.xinhuanet.com/english2010/china/2011-09/06/c_131102329_4.htm, (31.07.2013).

students who had painted anti-government graffiti.⁷¹⁰ The harsh measures of the government against protesters caused spreading of anti-government demonstrations across the country. The Baath regime responded to the anti-government movements by using force and did not accept the demands of protesters including the repeal of the emergency law,⁷¹¹ more democratic representation of people and freedom of media.⁷¹² On 18 March 2011, the Syrian government opened fire at the protesters in Damascus, killing four people.⁷¹³ Following this date, as the protests began to bring thousands of opponents to the cities of Baniyas, Homs, Hama and Damascus, the Assad regime dramatically increased the extent of its disproportionate use of force against civilians by sending tanks and opening fires on the opponent cities and villages.⁷¹⁴ For instance, on 25 March 2011, the Syrian military troops hit the non-armed protesters by opening fire in the several southern cities of Syria. According to some analyses, one of the reasons behind the Assad regime's violent crackdown on the protests was the fact that the protests of 2011 constituted 'the most serious challenge' to 40 years of oppressive regime of the Assad family since 1982.⁷¹⁵ As the conflict between the protesters and the Syrian army continued, Syria's President Assad also attempted to appease the public and made his first speech about the protests in which he accused the outside powers and stated that "Syria is a target of a big plot from outside," and promised to make some reforms.⁷¹⁶ As Assad promised, on 19 April 2011, emergency law that restricted Syrian people for 48 years was cancelled out; the state security court was outlawed and a new law was passed that

⁷¹⁰ Joe Sterling, "Daraa: The spark that lit the Syrian flame", **CNN**, 01.03.2012, <http://edition.cnn.com/2012/03/01/world/meast/syria-crisis-beginnings>, (02.08.2013).

⁷¹¹ Syria has been governed by the emergency law since 1963 that has provided the Syrian regime to have power of arresting and detaining people.

⁷¹² "Crisis in Syria", **International Coalition for the Responsibility to Protect**, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>, (02.08.2013).

⁷¹³ "Guide: Syria Crisis", **BBC News**, 09.04.2012, <http://www.bbc.co.uk/news/world-middle-east-13855203>, (02.08.2013).

⁷¹⁴ Katherina Marsh, Matthew Taylor and Haroon Siddique, "Syria's crackdown on protest becomes dramatically more brutal", **The Guardian**, 25.04.2011, <http://www.guardian.co.uk/world/2011/apr/25/syria-crackdown-protesters-brutal>, (02.08.2013).

⁷¹⁵ In 1982, Hafiz al-Assad government slaughtered at least 10,000 protesters in during the protests that were lead by Muslim Brotherhood in Hama. Michael Slackman, "Syrian Troops Open Fire on Protesters in Several Cities", **The New York Times**, 25.03.2011, <http://www.nytimes.com/2011/03/26/world/middleeast/26syria.html?pagewanted=all>, (02.08.2013).

⁷¹⁶ "Syria's President Assad vows to defeat 'plot'", **BBC News**, 30.03.2011, <http://www.bbc.co.uk/news/world-middle-east-12904156>, (02.08.2013).

allowed peaceful demonstrations.⁷¹⁷ However, in contrast to these developments, Syrian security forces opened fire at the demonstrators and killed at least 81 people within the same week.⁷¹⁸

On 28 April 2011, the UNSC held a meeting concerning the situation in Syria in which the US, the UK and France delegations condemned the brutality of the Assad regime and called on the Syrian government to halt the violence. On the other hand, even though the Russian delegation expressed concerns about Syria, it stated “the current situation in Syria, does not present a threat to international peace and security.”⁷¹⁹ Furthermore, the Chinese representative signalled that his government would not support any intervention in Syria.⁷²⁰ As the violence continued in the important cities of Syria, the EU decided to enforce an arms embargo and travel ban for some members of the Syrian government as well as freeze the economic assets of certain persons in the Assad regime including Bashar Al-Assad.⁷²¹

It was estimated that by mid-May 2011, the number of casualties in Syria reached 1,000.⁷²² Furthermore, the refugee problem of Syria dramatically increased since the beginning of the conflict, with more than 5000 Syrians fleeing to Lebanon in May 2011; more than 2,500 Syrians fleeing to Jordan in 2011 and thousands of Syrian refugees appealing to Turkey to become refugees in the summer of 2011.⁷²³ On 14 June 2011, the Arab League publicly condemned the violent crackdown of the Assad regime and added that Arab states were ‘angry and actively monitoring’ the Syrian crisis and then it suspended the Syrian membership.⁷²⁴ According to Syrian

⁷¹⁷ Katherine Marsh and Ian Black, “Syria to lift emergency rule after 48 years-but violence continues”, **The Guardian**, 19.04.2011, <http://www.guardian.co.uk/world/2011/apr/19/syria-lift-emergency-rule-violence>, (02.08.2013).

⁷¹⁸ Anthony Shadad, “Security Forces Kill Dozens in Uprising Around Syria”, **The New York Times**, 22.04.2011, http://www.nytimes.com/2011/04/23/world/middleeast/23syria.html?pagewanted=all&_r=0, (02.08.2013).

⁷¹⁹ “United Nations Security Council 6524th Meeting”, **United Nations Security Council**, 27.04.2011, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6524, (07.08.2013).

⁷²⁰ “United Nations Security Council 6524th Meeting”, **United Nations Security Council**

⁷²¹ “European Commission-Restrictive measures in force (Article 215 TFEU)”, European Union, 31.07.2013, http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf, (07.08.2013), p. 62

⁷²² “Guide: Syria Crisis”, **BBC News**

⁷²³ “Syrian Refugees, A Snapshot of the Crisis- in the Middle East and Europe”, **Migration Policy Center**, http://syrianrefugees.eu/?page_id=163, (01.08.2013).

⁷²⁴ Martin Chulov, “Arab League issues first condemnation of Syria violence”, 14.06.2011, **The Guardian**, <http://www.guardian.co.uk/world/2011/jun/14/arab-league-condemnation-syria-violence> ,

Observatory for Human Rights, the conflict between the government and opposition army groups cost the lives of 3,000 people during the summer of 2011.⁷²⁵ The Obama administration and European countries called on the Assad government to stop its violence and to resign.⁷²⁶ However, even though the Assad government became increasingly isolated, the President Assad denied any accusation that he had used brutal violence against his people by stating ‘[w]e don't kill our people... no government in the world kills its people, unless it's led by a crazy person.’⁷²⁷ In contrast to discourses of the President Assad, the UN High Commissioner for Human Rights, Navi Pillay, estimated that by the end of December 2011, more than 4,000 people had been killed during the civil war in Syria, and she demanded international intervention for saving the Syrians from the Assad regime’s brutality.⁷²⁸

As the Assad regime’s crackdown continued to kill civilian protesters, the number of defected soldiers in the opposition movement dramatically increased and those soldiers established the Free Syrian Army as a military group on 27 July 2011, which further escalated the conflict with the Syrian government.⁷²⁹ It is important to note that Islamic militant groups also started to get involved in the Syrian conflict in 2011; the Hezbollah leader Hassan Nasrallah publicly supported the Assad government and gave signal to be a party in the Syrian civil war.⁷³⁰ Hezbollah members were seen supporting the government troops around the cities near the border of Lebanon. The US administration affirmed that Hezbollah has been actively

(01.08.2013). David Batty and Jack Shenker, “ Syria suspended from Arab League”, **The Guardian**, 12.11.2011, <http://www.guardian.co.uk/world/2011/nov/12/syria-suspended-arab-league>, (02.08.2013).

⁷²⁵ Rod Nordland and Hwaïda Saad, “ With Strikes, Syrian Rebels Showcase Their Reach”, **The New York Times**, 28.06.2013, <http://www.nytimes.com/2012/06/29/world/middleeast/turkey-deploys-antiaircraft-units-along-syrian-border>, (02.08.2013). “Obama, allies call for ouster of Syria’s Assad”, **CBS News**, 18.08.2012, http://www.cbsnews.com/2100-202_162-20094281.html, (02.08.2013).

⁷²⁶ “Obama, allies call for ouster of Syria’s Assad”, **CBS News**

⁷²⁷ Russel Goldman, “ Defiant Assad Denies Ordering Bloody Syrian Crackdown”, **abc NEWS**, 07.12.2011, <http://abcnews.go.com/International/bashar-al-assad-interview-defiant-syrian-president-denies/story?id=15098612#.UeUKx43wZq2>, (02.08.2013).

⁷²⁸ Nada Bakri, “ U.N. Says Action Needed to Prevent Civil War in Syria”, **The New York Times**, 02.03.2011, http://www.nytimes.com/2011/12/03/world/middleeast/un-says-action-needed-to-prevent-civil-war-in-syria.html?_r=0, (02.08.2013).

⁷²⁹ “Origin”, **The Official Homepage of the Free Syrian Army**, <http://www.free-syrian-army.com/>, (02.08.2013).

⁷³⁰ “Hezbollah”, **The New York Times**, 25.07.2013, <http://topics.nytimes.com/top/reference/timestopics/organizations/h/hezbollah/index.html>, (02.08.2013).

involved in the Syrian war for assisting the Assad regime's brutality.⁷³¹ On the other hand, the jihadist groups including Jabhat al-Nusra, which has been associated with Al Qaeda terrorist organization, began to be part of the Syrian war in order to overthrow the Assad government; in this sense the war in Syria has also gained sectarian character including al-Qaida and other Sunni jihadist on the one hand, Hezbollah and Shia militants on the other.⁷³² Even Al-Qaeda's section in Iraq announced that it was united with Syria's Jabhat al-Nusra in April 2013, which has made the situation in Syria more complicated in terms of the Western countries and the Gulf States that armed the rebel forces.⁷³³ Control of massive anti-aircraft missiles by the Sunni jihadist groups further concerned the US and Western powers. It has been claimed that the existence of fundamentalist groups was one of the main reasons for the US's reluctance to send weapons to Syria.⁷³⁴

As the Assad government continued with its violent oppression of the opposition groups, the UN Security Council attempted to take steps against the Syrian regime but it failed to adopt a European-supported UNSC resolution that condemned the Syrian authorities and called on all the parties including the Syrian government and opposition groups to halt the violence due to the vetoes of Russia and China.⁷³⁵ The repeated vetoes of Russia and China caused the failure of the UNSC to adopt another draft resolution that called for the cease of the violence; to allow peaceful protests and to free the arbitrarily arrested persons.⁷³⁶ While the UNSC was in deadlock, the European Union tried to stop the Assad regime by imposing coercive measures against it; it imposed an oil embargo on Syria that

⁷³¹ Josh Wood, "Hezbollah Offering Direct Help to Syrian Army, Rebels Say", **The New York Times**, 17.10.2012, <http://www.nytimes.com/2012/10/18/world/middleeast/hezbollahs-hand-seen-backing-the-syrian-army.html?pagewanted=all>, (02.08.2013).

⁷³² Josh Wood, "Hezbollah Offering Direct Help to Syrian Army, Rebels Say", **The New York Times**

⁷³³ "Iraqi Al-Qaeda and Syrian group 'merge'", **AlJazeera**, 09.04.2013, <http://www.aljazeera.com/news/middleeast/2013/04/201349194856244589.html>, (03.08.2013).

⁷³⁴ Martin Chulov, "Threat of sectarian war grows in Syria as jihadists get anti-aircraft missiles", **The Guardian**, 16.06.2013, <http://www.guardian.co.uk/world/2013/jun/16/syrian-jihadists-anti-aircraft-missiles-video>, (03.08.2013).

⁷³⁵ "Russia and China veto draft Security Council Resolution on Syria", **UN News Centre**, 04.10.2011, <http://www.un.org/apps/news/story.asp?NewsID=39935#.UeaLPI3wZq1>, (03.08.2013).

⁷³⁶ "Security Council Fails to Adopt Draft Resolution on Syria as Russian Federation, China Veto Text Supporting Arab League's Proposed Peace Plan", **United Nations Security Council**, 04.02.2012, <http://www.un.org/News/Press/docs/2012/sc10536.doc.htm>, (03.08.2013).

started in October 2011 and damaged the oil income of the regime.⁷³⁷ On 19 July 2012, the UNSC tried to adopt another resolution that threatened the Syrian regime with sanctions unless the violent crackdown on the protesters did not come to an end. However, Russia and China refused to support this resolution on the ground that it would pave the way for a military intervention in Syria.⁷³⁸

As another attempt of the UN to terminate the violence in Syria, the former UN Secretary General Kofi Annan was appointed as the Joint Special Envoy of the United Nations and the League of Arab States on the Syrian crisis on 23 February 2012.⁷³⁹ In compatible with his mission, Annan submitted a six-point peace plan to the UN Security Council on 16 March 2012. He called for the Syrian government to make cooperation with the Envoy to meet the concerns of Syrian people; to halt the conflict under the UN supervision and to stop the use of heavy weapons; to assure ‘timely provision of humanitarian assistance’ to conflicting areas; to liberate ‘arbitrarily detained persons’ in the country; to guarantee the freedom of travel for journalists; and to show respect for “freedom of association” and peaceful opposition movements.⁷⁴⁰ In order to monitor the implementation of this plan, the UNSC adopted Resolution 2043 that established United Nations Supervision Mission in Syria (UNSMIS) for a 90-day period which consisted of 300 “unarmed military observers”.⁷⁴¹ The Syrian government announced its consent to the plan; however, the new reports of conflict in Homs and other anti-government cities strengthened the notion that the acceptance of plan by the Syrian government was only for show. The UN Secretary-General Ban Ki-moon publicly condemned the Syrian government: “Approximately 230,000 people, if not more, have been displaced, an estimated one million people are in need. Despite assurances from the government,

⁷³⁷ “Council Regulation (EU) No 1011/2011”, **Official Journal of the European Union**, 14.10.2011, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:269:0018:0020:EN:PDF>, (03.08.2013).

⁷³⁸ “Security Council Fails to Adopt Draft Resolution on Syria That Would Have Threatened Sanctions, Due to Negative Votes of China, Russian Federation”, **United Nations Security Council**, 19.07.2012, <http://www.un.org/News/Press/docs/2012/sc10714.doc.htm>, (03.08.2013).

⁷³⁹ “Kofi Annan Appointed Joint Special Envoy of United Nations, League of Arab States on Syrian Crisis”, **United Nations Secretary-General**, 23.02.2012, <http://www.un.org/News/Press/docs/2012/sgsm14124.doc.htm>, (12.08.2013).

⁷⁴⁰ “Kofi Annan’s six-point plan for Syria”, **AlJazeera**, 27 March 2012, <http://www.aljazeera.com/news/middleeast/2012/03/2012327153111767387.html/>, (02.08.2013).

⁷⁴¹ “Monitoring a cessation of armed violence in all its forms”, **United Nations Supervision Mission in Syria**, <http://www.un.org/en/peacekeeping/missions/unsmis/>, (02.08.2013).

there has been no meaningful progress on the ground. This is unacceptable.”⁷⁴² These explanations did not stop the Assad regime whose security forces killed more than 100 people in Houla by artillery fire in May 2012.⁷⁴³

Furthermore, there have been allegations that the Assad government used chemical weapons in the near towns of Aleppo and Damascus. Some videos and photographs of the victims reinforced the suspicion of use of chemical weapons by the Syrian government.⁷⁴⁴ While the UN was expected to take harsher actions against the Syrian government, the UN suspended the monitoring mandate of UNSMIS in June 2012 due to the intensification of conflict in Syria. The head of UNSMIS, General Robert Mood, tried to justify the decision of suspension of the mandate by stating “[t]his escalation is limiting our ability to observe, verify, report as well as assist in local dialogue and stability projects -- basically impeding our ability to carry out our mandate.”⁷⁴⁵ The UNSMIS mandate was over on 19 August 2012 as the use of heavy weapons escalated the violence in Syria.⁷⁴⁶ Therefore, the Syrian people were left to their own fates to deal with the brutal crackdown of the Syrian regime.

As the proof of default of the UN, Kofi Annan resigned from his position as the UN-Arab League Joint Special Envoy for Syrian crisis on 2 August 2012 due to failure of the peace plan and accelerating militarization on the ground in Syria.⁷⁴⁷ He complained that there was no unity in the SC by pointing out “[a]t a time when we need – when the Syrian people desperately need action - there continues to be finger-

⁷⁴² Steven Erlanger and Rick Gladstone, “Pressure Build for Tougher Line as Syria is said to Shun Peace Plan”, **The New York Times**, 19.04.2012, <http://www.nytimes.com/2012/04/20/world/middleeast/syria-united-nations-secretary-general-ban-ki-moon-cease-fire.html?pagewanted=all>, (02.08.2013).

⁷⁴³ “UN: Most of 108 killed in Houla Syria were executed”, **YA LIBNAN**, 29.05.2012, <http://www.yalibnan.com/2012/05/29/un-most-of-108-killed-in-houla-syria-were-executed/>, (02.08.2013).

⁷⁴⁴ “Syria chemical weapons allegations”, **BBC News**, 17.05.2013, <http://www.bbc.co.uk/news/world-middle-east-22557347>, (02.08.2013).

⁷⁴⁵ “U.N. suspends observer mission in Syria due to uptick in violence”, **CNN**, 16.06.2012, http://edition.cnn.com/2012/06/16/world/meast/syria-unrest/index.html?_s=PM:MIDDLEEAST, (02.08.2013).

⁷⁴⁶ “Monitoring a cessation of armed violence in all its forms”, **United Nations Supervision Mission in Syria**

⁷⁴⁷ “Kofi Annan resigns as UN-Arab League Joint Special Envoy for Syrian crisis”, **UN News Centre**, 02.08.2012, <http://www.un.org/apps/news/story.asp?NewsID=42609#.UeVByY3wZq0>, (02.08.2013).

pointing and name-calling in the Security Council.”⁷⁴⁸ As a new attempt to implement the peace plan, the Algerian diplomat Lakhdar Brahimi was appointed as the new UN-Arab League envoy for Syria on 18 August 2012. However, the conflict between the government troops and opposition groups continued in Aleppo and Damascus.⁷⁴⁹ Brahimi expressed the need for cooperation of Syrian people by stating “[t]here is no doubt that I will be able to do strictly nothing if I do not have the support and if I do not have the co-operation of the Syrians.”⁷⁵⁰

Although the UNSC could not adopt several resolutions on Syria, there have been some diplomatic efforts to stop the violence in Syria. Geneva talks were held in 2012 by the leading international powers including the US, European states and Russia in order to reach political solution. The result of the meeting was agreement concerning the need for a transition government in Syria as the UN mediator Kofi Annan suggested that a Syrian government “could include members of the present government and the opposition and other groups and shall be formed on the basis of mutual consent”.⁷⁵¹ However, due to the insistence of Russia and China that the future of Syrian people should be dependent on the consent of the relevant parties in Syria, the meeting did not design a future for Syria without Bashar al-Assad.⁷⁵² However, given the fact that these talks did not result in any legally binding sanctions for the Syrian government, the fighting between the government and opposition groups could not be prevented.

As a regional organization, the Arab League (AL) endorsed Resolution 7439 which created the League of Arab States Observer Mission to Syria on 16 November 2011.⁷⁵³ With this resolution, 150 Arab League monitors went to Syria.⁷⁵⁴ However,

⁷⁴⁸ Annan resigns as UN-Arab League Joint Special Envoy for Syrian crisis”, **UN News Centre**

⁷⁴⁹ “Algerian Lakhdar Brahimi appointed new UN Syria envoy”, **BBC News**, 18.08.2012, <http://www.bbc.co.uk/news/world-middle-east-19302193>, (02.08.2013).

⁷⁵⁰ “Algerian Lakhdar Brahimi appointed new UN Syria envoy”, **BBC News**

⁷⁵¹ “Final Communique of the Action Group for Syria-Geneva”, **The United Nations Office at Geneva**,

30.06.2012, [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/18F70DBC923963B1C1257A2D0060696B?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/18F70DBC923963B1C1257A2D0060696B?OpenDocument), (08.08.2013).

⁷⁵² Nick Meo, “Geneva meeting agrees ‘transitional plan’ to Syria unity government”, **The Telegraph**, 30.06.2012,

<http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9367330/Geneva-meeting-agrees-transition-plan-to-Syria-unity-government.html>, (02.08.2013).

⁷⁵³“Report of the Head of the League of Arab States Observer Mission to Syria for the period from 24

the escalation of violence caused the suspension of the Mission in January 2012.⁷⁵⁵ Thereupon, the AL repeatedly called for the UNSC to undertake its duty of protecting the Syrian civilians.⁷⁵⁶ Furthermore, in January 2012, AL proposed a peace plan, which called on the Assad government to transfer its power to a deputy and begin dialogue with the opposition groups within two weeks; however, the plan was rejected by Syrian government.⁷⁵⁷ The AL Secretary, General Nabil Elaraby, criticized the UNSC for its failure to undertake its responsibility due to disagreement among the permanent members; thus, it has been argued that the structure of the UNSC should be amended in favor of the Arab and African countries.⁷⁵⁸ In spite of the AL's criticisms of the UNSC, its reluctance to act outside the framework of the UNSC can be interpreted as the current monopoly of the UNSC to decide on the sensitive international issues with its legal position in international politics.

Due to the failure of the UNSC and the Arab League to halt the violence, the individual states have attempted to resolve the conflict by their own methods, which have further complicated the situation in Syria. For instance, in June 2012, Russia's major arms export company Rosoboronexport admitted that they sent 'advanced defensive missile systems' to the Syrian government to help it deal with the potential airplanes of the external powers.⁷⁵⁹ In the meanwhile, some European countries supported the Syrian opposition with 'non-lethal' military assistance; for instance,

December 2011 to 18 January 2012", **League of Arab States Observer Mission to Syria**, 27.01.2012, http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf, (02.08.2013).

⁷⁵⁴ Dominic Evans, "Arab League team arrives in Syria as violence goes on", **Reuters**, 22.12.2011, <http://www.reuters.com/article/2011/12/22/us-syria-arabs-idUSTRE7BI0H520111222>, (02.08.2013).

⁷⁵⁵ Tom A. Peter, "End of Arab League observer mission to Syria opens door to renewed clashes", **The Christian Science Monitor**, 30.01.2012, <http://www.csmonitor.com/World/terrorism-security/2012/0130/End-of-Arab-League-observer-mission-to-Syria-opens-door-to-renewed-clashes>, (02.08.2013).

⁷⁵⁶ "Arab League calls on U.N. to protect Syrians", **Reuters**, 26.04.2012, <http://www.reuters.com/article/2012/04/26/us-egypt-league-syria-idUSBRE83P1IU20120426>, (02.08.2013).

⁷⁵⁷ Kareem Fahim, "Arab League Floats Ambitious New Peace Plan for Syria", **The New York Times**, 22.01.2012, <http://www.nytimes.com/2012/01/23/world/middleeast/arab-league-floats-new-peace-plan-for-syria.html>, (02.08.2013).

⁷⁵⁸ "Syria Crisis Explained", **Arab League Online**, 02.10.2013, <http://www.arableagueonline.org/syria-crisis-explained/>, (02.08.2013).

⁷⁵⁹ Andrew E. Kramer, "Russia Sending Missile Systems to Shield Syria", **The New York Times**, 15.06.2012, <http://www.nytimes.com/2012/06/16/world/europe/russia-sending-air-and-sea-defenses-to-syria.html>, (02.08.2013).

the French Prime Minister Jean-Marc Ayrault openly stated that France delivered ‘means of communication and protection’ to the Syrian National Council.⁷⁶⁰ Furthermore, the UK Foreign Secretary William Hague mentioned about his government’s supply of non-lethal apparatus to the Syrian opposition while the Syrian opposition revealed that they were being aided by the British intelligence.⁷⁶¹ As a competitor of Syria in the region, Saudi Arabia delivered anti-aircraft missiles to the Syrian opposition, which was confirmed by the Free Syrian Army.⁷⁶² On the other hand, Syria’s ally, the Iranian government explained that the Revolutionary Guards have been assisting the Assad regime in order to reduce the killing of people by the opposition groups.⁷⁶³

In order to stop the Syrian conflict and restore regional stability, the US administration called for ‘friends of democratic Syria’ to take stance against the Assad regime, which led to the creation of ‘Friends of Syrian People’ that held their first meeting in February 2012.⁷⁶⁴ The members of Friends of Syrian people consisted of three permanent SC members (the US, the UK and France as) well as regional powers such as Saudi Arabia and Turkey.⁷⁶⁵ As the death toll increased in Syria during the 2012 summer, the member states of ‘Friends of Syrian People’ demanded stronger action against the Syrian regime under the Chapter VII of the UN. However, the potential vetoes of Russia and China directed them to increase their aid to opposition groups in Syria.⁷⁶⁶ Moreover, ‘Friends of Syrian People’ recognized the National Coalition of Syrian Revolution and Opposition Forces commonly known as “Syrian Coalition” as the legitimate representative of the Syrian

⁷⁶⁰ “France Gives ‘Non-Lethal’ Military Aid to Syria Opposition”, **Naharnet**, 22.08.2012, <http://www.naharnet.com/stories/en/50839>, (02.08.2013).

⁷⁶¹ “Syria Rebels ‘Aided by British Intelligence’”, **Sky News**, 19.08.2013, <http://news.sky.com/story/974300/syria-rebels-aided-by-british-intelligence>, (02.08.2013).

⁷⁶² Amena Bakr, “Saudi supplying missiles to Syria rebels: Gulf Source”, **Reuters**, 17.06.2013, <http://www.reuters.com/article/2013/06/17/us-syria-crisis-missiles-saudi-idUSBRE95G0DK20130617>, (03.08.2013).

⁷⁶³ Saeed Kamali Dehghan, “Syria army being aided by Iranian forces”, **The Guardian**, 28.05.2012, <http://www.guardian.co.uk/world/2012/may/28/syria-army-iran-forces>, (03.08.2013).

⁷⁶⁴ “Friends of Syria Meeting in Tunis Accused on ‘inactivity’”, **Syria Comment**, 24.02.2012, <http://www.joshualandis.com/blog/friends-of-syria-meeting-in-tunis-accused-of-inactivity/>, (03.08.2013).

⁷⁶⁵ “Friends of Syria push for tougher sanctions”, **France 24**, 07.07.2012, <http://www.france24.com/en/20120706-diplomacy-friends-syria-sanctions-transition-plan-assad-paris-usa-un-arab>, (03.08.2013).

⁷⁶⁶ “Friends of Syria push for tougher sanctions”, **France 24**

people.⁷⁶⁷ The meeting of ‘Friends of Syrian People’ on 22 June 2013 came to the conclusion that the Assad regime made military operations against its own citizen alongside with Iran and Hezbollah. Having condemned the Syria regime, and Hezbollah militias and guerillas from Iran, the Ministers decided to take concrete measures to assist the Syrian opposition since the regime had used chemical weapons against the protesters.⁷⁶⁸ In this regard, they agreed to send “all the necessary material and equipment” to the opponents of the Syrian regime in order to save them. This was the first time that the US and other countries publicly announced that they would arm the opposition group.⁷⁶⁹ The Ministers adopted a humanitarian language when they reminded the worsening humanitarian situation in Syria and called for “the international community to shoulder its responsibilities”.⁷⁷⁰ Two years after the conflict started, Obama administration announced for the first time that it would send armament to the rebel forces in Syria, which was claimed to be a result of the pressures from Qatar and Saudi Arabia as well as Russia’s plans to send ‘S-300 air defense systems’ to Syria in line with its previous agreements with the Assad regime before the conflict started.⁷⁷¹

Due to the fact that these efforts have not been sufficient to cease the massacre in Syria, the conflict in Syria has also adversely impacted the regional security and stability. For instance, on 22 June 2012 a Turkish F-4 warplane was “shot down” by the Syrian air forces, causing the death of two Turkish pilots. Following this incident the relations between the two countries have further deteriorated even though the Assad government apologized from the Turkish

⁷⁶⁷ In November 2012, some opposition groups in Syria including Syrian National Council decided to united under the “Syrian Coalition”, “ ‘Friends of Syria’ recognize opposition”, **AlJazeera**, 12.12.2012, <http://www.aljazeera.com/news/middleeast/2012/12/201212124541767116.html>, (03.08.2013).

⁷⁶⁸ “Joint Statement: Ministerial Meeting on Syria in Doha”, **United Kingdom Government Press Release**, 22.06.2013, <https://www.gov.uk/government/news/friends-of-syria-core-group-final-communicue>, (03.08.2013).

⁷⁶⁹ Yara Bayoumy and Amena Bakr, “Western, Arab States to step up Syrian rebel support”, **Reuters**, 22.06.2013, <http://www.reuters.com/article/2013/06/22/us-syria-crisis-idUSBRE95K17J20130622>, (03.08.2013).

⁷⁷⁰ “Joint Statement: Ministerial Meeting on Syria in Doha”, **United Kingdom Government Press Release**

⁷⁷¹ “USA arms Syrian rebels, Russia arms Syrian government”, **pravda.ru**, 14.06.2013, http://english.pravda.ru/hotspots/conflicts/14-06-2013/124843-usa_russia_syria-0/, (03.08.2013).

government.⁷⁷² Furthermore, there were several Syrian shell fires that hit the Turkish territory since the beginning of the conflict and killed seven people in Turkish town, Akçakale, which is next to the Syrian border.⁷⁷³ As the conflict escalated and continue to affect the security of Turkish border, Turkey repeatedly called on the UNSC to take necessary steps to halt the conflict in Syria.⁷⁷⁴ Furthermore, due to the increase of shootings from Syria to the Turkish border, the Turkish Foreign Minister, Ahmet Davutoğlu, again called on the UNSC to act by stating “[w]e are calling on the international community once more, immediately and rapidly: If the U.N. Security Council is to fulfill the requirements of being the U.N. Security Council, then this is the moment”.⁷⁷⁵ On the other hand, Iran as another regional power has tried to push the efforts of the UNSC by supporting the Assad regime with diplomatic and military tools. Since the initial phases of the conflict, it has been claimed that Iran sent weapons and troops to the Assad regime in order to assist its fight against the opposition groups.⁷⁷⁶ Furthermore, apart from Iran, Israel has also caused the escalation of the war in Syria; Israel was claimed to have carried out three air strikes against Syrian government’s missiles that were thought to be brought from Iran in order to help Hezbollah.⁷⁷⁷ Israel’s air strikes resulted in the Assad government’s declaration that they had the right to retaliate to the action of Israel.⁷⁷⁸ In this sense, regional stability has been further damaged by the two-year conflict in Syria, with regional actors getting polarized around competing positions.

⁷⁷² “Turkish F-4 warplane ‘shot down’ near Syrian border”, **BBC News**, 22.07.2012, <http://www.bbc.co.uk/news/world-europe-18554246>

⁷⁷³ “Syria shells kill five inside Turkey”, **The Daily Star**, 03.10.2012, <http://www.dailystar.com.lb/News/Middle-East/2012/Oct-03/190027-3-killed-by-syrian-mortar-in-turkeys-akcakale-border-region.ashx#axzz2ZKyPHgfb>, (03.08.2013).

⁷⁷⁴ “Turkey calls Security Council to take action regarding Syrian ‘aggression’”, **UN Report**, 03.10.2012, <http://un-report.blogspot.com/2012/10/turkey-calls-security-council-to-take.html>, (03.08.2013).

⁷⁷⁵ “Turkish FM Davutoğlu calls on UN to act on Syria after border clashes”, **Hurriyet Daily News**, 18.07.2013, <http://www.hurriyetdailynews.com/turkish-fm-davutoglu-calls-on-un-to-act-on-syria-after-border-clashes.aspx?PageID=238&NID=50944&NewsCatID=338>, (03.08.2013).

⁷⁷⁶ “Iranian Foreign Minister Spokesman: Iran has not sent arms to Syria”, **Trend.az**, 18.07.2013, <http://en.trend.az/regions/iran/2171837.html>, (03.08.2013).

⁷⁷⁷ Anne Barnard, Michael R. Gordon and Jodi Rudoren, “Israel Targeted Iranian Missiles in Syria Attack”, **The New York Times**, 04.05.2013, <http://www.nytimes.com/2013/05/05/world/middleeast/israel-syria.html?pagewanted=all>, (03.08.2013).

⁷⁷⁸ Anne Barnard and Jodi Rudoren, “Syria Says It Has Right to Counterattack Israel”, **The New York Times**, 31.01.2013, http://www.nytimes.com/2013/02/01/world/middleeast/syrias-confirmation-of-airstrike-may-undercut-israels-strategy-of-silence.html?_r=1&, (03.08.2013).

As the international community has not taken determined steps to stop the Syrian conflict and the character of the fighting became more complicated due to the involvement of the jihadist groups, the death toll in Syria increased dramatically; according to the estimate of the UN the toll stands at more than 93,000 at the end of two years.⁷⁷⁹ The UN High Commissioner for Human Rights, Navi Pillay, stated that “[t]his extremely high rate of killings, month after month, reflects the drastically deteriorating pattern of the conflict over the past year”.⁷⁸⁰ She also added in order to emphasize the gravity of the Syrian conflict that “[t]here are also well-documented cases of individual children being tortured and executed, and entire families, including babies, being massacred.”⁷⁸¹ Moreover, according to a UNHCR report, since the conflict started in 2011, the Syrian refugee problem has dramatically increased; the number of Syrian refugees, who are in refugee status or in the process of registration in Turkey, Lebanon, Iraq and Jordan stood at 1,775,050 as of June 2013.⁷⁸² The UN says that Syrian conflict created the most dramatic refugee crisis since the Rwandan genocide in 1994, with the UN refugee chief, Antonio Guterres, warning that the total figure of refugees had not increased “at such a frightening rate” for 20 years.⁷⁸³

Under these circumstances, two important international actors, the US and Russia, agreed to hold the international Geneva II conference that will bring Syrian parties to the bargaining table in order to reach a political solution for Syria. On 1 July 2013, Ban ki-Moon expressed his support to this step by stating “[t]he US-Russian initiative to bring Syrian parties to the negotiating table is the best chance for a lasting solution that will deliver peace and save lives”.⁷⁸⁴ It has been expected that the conference can maintain peace in Syria with the support of Russia which had

⁷⁷⁹ “Updated UN study indicates at least 93,000 people killed in Syria conflict”, **United Nations Regional Information Centre for Western Europe**, 13.06.2013, <http://www.unric.org/en/latest-un-buzz/28542-updated-un-study-indicates-at-least-93000-people-killed-in-syria-conflict->, (03.08.2013).

⁷⁸⁰ “Updated UN study indicates at least 93,000 people killed in Syria conflict”, **United Nations Regional Information Centre for Western Europe**

⁷⁸¹ “Updated UN study indicates at least 93,000 people killed in Syria conflict”, **United Nations Regional Information Centre for Western Europe**

⁷⁸² “Syria Regional Refugee Response”, **The UN Refugee Agency**, <http://data.unhcr.org/syrianrefugees/regional.php>, (03.08.2013).

⁷⁸³ “UN Says Syria refugee crisis worst since Rwanda”, **BBC News**, 16.07.2013, <http://www.bbc.co.uk/news/world-middle-east-23332527>, (03.08.2013).

⁷⁸⁴ “US-Russian Initiative offers best chance for resolving Syria crisis, says Ban”, **UN News Centre**, 01.07.2013, <http://www.un.org/apps/news/story.asp?NewsID=45312#.Ueabl43wZq0>, (03.08.2013).

opposed the foreign intervention in Syria from the beginning of the conflict.⁷⁸⁵ However, until now, the exact date of the conference has not been set and its further delay means that more civilians will be killed and displaced.

3.2.1. The United States

Former American administrations had attempted to gain the support of the Assad regime from time to time since the mediation of the US Secretary of State, Henry Kissinger, in negotiations between Israel and Syria after the Yom Kippur War in 1973.⁷⁸⁶ The Clinton administration was also active in peace talks between Syria and Israel, having argued that support of Syria was the cornerstone of peace in the Middle East.⁷⁸⁷ While the Bush Administration attempted to isolate Syria due its claim that Assad regime was in cooperation with Hezbollah and Hamas, the Obama administration pursued a new policy of engagement in the Middle East including restoration of the US-Syria Relations. The Obama administration has claimed that the relations of Syria with Iran could be beneficial for both engaging Iran and the Middle East peace talks.⁷⁸⁸ However, the Bush era sanctions on Syria were renewed under the Obama government because of the Syrian government's support for 'terrorism', its armament program and its incoherent policy in Iraq.⁷⁸⁹

The important question in this case is that why the Obama administration was more willing to intervene in Libya than in Syria even though the brutality of Syrian regime exceeds the Qadhafi regime. As in the case of Libya, the US could have invoked the R2P doctrine to deal with the Syrian crisis in line with its National Security Strategy (NSS) of 2010 that also acknowledged the R2P doctrine.⁷⁹⁰

⁷⁸⁵ Miriam Elder, "Russia and US pledge Syria conference with both sides" **The Guardian**, 07.03.2013, <http://www.guardian.co.uk/world/2013/may/07/russia-us-syria-conference>, (03.08.2013).

⁷⁸⁶ Amos N. Guiora, "Intervention in Libya, Yes: Intervention in Syria, No: Deciphering the Obama Administration," **Case Western Reserve Journal of International**, Vol.44, No.1-2, 2011, p. 265.

⁷⁸⁷ Jed Babbin, "Work undone in Syria", **Old National Review**, 12.11.2003, <http://old.nationalreview.com/babbin/babbin200311120817.asp>, (03.08.2013).

⁷⁸⁸ Robert F. Worth, "With Isolation Over, Syria Is Happy to Talk", **The New York Times**, 26.03.2009, <http://www.nytimes.com/2009/03/27/world/middleeast/27syria.html>, (03.08.2013).

⁷⁸⁹ Ali Gharip, "Obama administration renews Bush-era sanctions on Syria", **The Electronic Intifada**, 12.05.2009, <http://electronicintifada.net/content/obama-administration-renews-bush-era-sanctions-syria/8228>, (03.08.2013).

⁷⁹⁰ "...but that this responsibility passes to the broader international community when sovereign governments themselves commit genocide or mass atrocities, or when they prove unable or unwilling to take necessary action to prevent or respond to such crimes inside their borders." See "National

However, in contrast to what has been written in NSS, in November 2011, the U.S. ambassador to NATO, Ivo Daalder, stated “[t]here has been no planning, no thought, and no discussion about any intervention into Syria. It just isn't part of the envelope of thinking, among individual countries and certainly among the 28 [full NATO members].”⁷⁹¹ In line with the behavior of the US administration, the U.S. Chairman of the Joint Chiefs of Staff, General Martin Dempsey, justified the non-intervention in Syria by explaining the superiority of military capability and geography of Syria in contrast to Libya. As to the Syrian military power Dempsey said “[t]hey are very capable. They have a very sophisticated, integrated air defense system, for example. They have chemical and biological weapons”.⁷⁹² It has been also claimed that the opposition in Syria has not been well-organized as in the case of Libya due to the diverse ethnic and sectarian characteristics of opposition groups which would make the international intervention harder.⁷⁹³

The President Obama’s speech to the UN General Assembly in 2011 reflected his determination to take action against Syria when he said “we must speak with one voice. There's no excuse for inaction. Now is the time for the United Nations Security Council to sanction the Syrian regime, and to stand with the Syrian people.”⁷⁹⁴ Furthermore, in May 2011, Obama warned Assad by stating “President Assad now has a choice, he can lead that transition, or get out of the way.”⁷⁹⁵ During his speech, Obama called for the Syrian government to “stop shooting demonstrators and allow peaceful protests; release political prisoners and stop unjust arrests; allow human rights monitors to have access to cities like Dara'a; and start a serious

Security Strategy”, **The White House**, 2010, http://www.whitehouse.gov/sites/default/files/rss_viewer/national_security_strategy.pdf, (03.08.2013).

⁷⁹¹ Josh Rogin, “Daalder: We’re not even thinking about intervening in Syria”, **Foreign Policy**, 07.11.2011, http://thecable.foreignpolicy.com/posts/2011/11/07/daalder_we_re_not_even_thinking_about_intervening_in_syria, (03.08.2013).

⁷⁹² “Interview with Gen.Martin Dempsey”, **CNN**, 19.02.2012, <http://transcripts.cnn.com/TRANSCRIPTS/120219/fzgps.01.html>, (03.08.2013).

⁷⁹³ “Guide to the Syrian Opposition”, **BBC News**, 12.07.2013, <http://www.bbc.co.uk/news/world-middle-east-15798218>, (03.08.2013).

⁷⁹⁴ “Remarks by President Obama in Address to the United Nations General Assembly”, **The White House**, 21.09.2011, <http://www.whitehouse.gov/the-press-office/2011/09/21/remarks-president-obama-address-united-nations-general-assembly>, (03.08.2013).

⁷⁹⁵ Mark Landler and Steven Lee Myers, “Obama Sees 67 Borders as Starting Point for Peace Deal”, **The New York Times**, 19.05.2011, <http://www.nytimes.com/2011/05/20/world/middleeast/20speech.html?pagewanted=all>, (03.08.2013).

dialogue to advance a democratic transition. Otherwise, President Assad and his regime will continue to be challenged from within and isolated abroad.”⁷⁹⁶ Despite these rhetoric against the Assad regime, in order to justify the non-intervention of the UNSC in Syria, Obama said “...we have both a moral obligation and a national security interest in ending the slaughter in Syria, but, also ensuring that we've got a stable Syria that is representative of all the Syrian people, and is not creating chaos for its neighbors.”⁷⁹⁷ It is worth to note that instead of taking military action in Syria, the US administration believed that implementing political and economic sanctions would stop the violence in Syria. Following the failure to pass the SC Resolution on 19 July 2012 due to the vetoes of Russia and China, the US Delegation Susan Rice argued during the SC meeting that the responsibility of the humanitarian gravity in Syria belonged to the “heinous Assad regime and those Member States that refused to join the international community and fellow Security Council members that refused to take firm action against the regime”.⁷⁹⁸ As the conflict between Assad government and opposition groups has increased day by day and expectations for the US intervention has grown accordingly, Obama defended the US administration by stating “I'm making decisions not based on a hope and a prayer, but on hard-headed analysis in terms of what will actually make us safer and stabilize the region.”⁷⁹⁹ In this sense, Obama implied the threats of the immediate international intervention in Syria, which he has tried to avoid.

Following the allegations that chemical weapons were used by the Assad regime in March 2013, Obama gave signal to intervene in Syria; he said that if there is certain proof of chemical weapons used by the government “we would have to rethink the range of options that are available to us.”⁸⁰⁰ Furthermore, Obama

⁷⁹⁶ Rania Abouzeid, “Did Obama’s Speech Give Syria’s Assad a Breather?”, **Time**, 19.05.2011, <http://www.time.com/time/world/article/0,8599,2072738,00.html>, (03.08.2013).

⁷⁹⁷ “Remarks by President Obama in Address to the United Nations General Assembly”, **The White House**

⁷⁹⁸ “Security Council Fails to Adopt Draft Resolution on Syria That Would Have Threatened Sanctions, Due to Negative Votes of China, Russian Federation”, **United Nations Security Council**

⁷⁹⁹ “Remarks by President Obama and President Park of South Korea in a Joint Press Conference”, **The White House**, 07.05.2013, <http://www.whitehouse.gov/the-press-office/2013/05/07/remarks-president-obama-and-president-park-south-korea-joint-press-confe>, (03.08.2013).

⁸⁰⁰ Julie Pace, “Obama on Syria: U.S. Doesn’t Know All the Facts on Chemical Weapons”, **Huffington Post**, 30.04.2013, http://www.huffingtonpost.com/2013/04/30/obama-syria_n_3185182.html, (03.08.2013).

administration repeatedly warned that use of chemical weapons would be regarded as “red line” for the United States to rethink about the military intervention in Syria.⁸⁰¹ However, even though there has been evidence of the use of chemical weapons by the Syrian security forces, the US did not take any military action except planning to send armament to opposition groups.⁸⁰² Professor of Politics and International Affairs at Princeton University, Anne-Maria Slaughter, criticized the Obama administration asking “Mr. President, how many uses of chemical weapons does it take to cross a red line against the use of chemical weapons?”⁸⁰³ Deputy National Security Adviser for Strategic Communication, Ben Rhodes, tried to avoid criticisms towards the US non-intervention by explaining the complexity of the situation in Syria and the conditions of the military action under which the intervention could be possible:

*Any future action we take will be consistent with our national interest, and must advance our objectives, which include achieving a negotiated political settlement to establish an authority that can provide basic stability and administer state institutions; protecting the rights of all Syrians; securing unconventional and advanced conventional weapons; and countering terrorist activity.*⁸⁰⁴

It has been claimed that the US has been concerned about the possible military intervention in Syria due to its political relations with Iran, Hezbollah in Lebanon and Hamas in Palestine. Fred Hof, who was Hillary Clinton's previous special representative on Syria, said “[t]his is a war that Iran and Hezbollah have decided not to lose, we are not yet seeing that level of resolve on behalf of the US administration.”⁸⁰⁵ Furthermore, due to these political ties of Syria, some specialists argue that adopting no-fly zone over Syria would have more risks than in Libya

⁸⁰¹ Steve Chaggaris and Stephanie Condon, “U.S. : Syria used chemical weapons, crossing ‘red line’ “, **CBS News**, 13.06.2013, http://www.cbsnews.com/8301-250_162-57589252/u.s.-syria-used-chemical-weapons-crossing-red-line/, (03.08.2013).

⁸⁰² Steve Chaggaris and Stephanie Condon, “U.S. : Syria used chemical weapons, crossing ‘red line’ “, **CBS News**

⁸⁰³ Anne Jamison, “ Syria Civil War: Could Syria Become Obama’s Rwanda?” , **Policymic**, 2013, <http://www.policymic.com/articles/43853/syria-civil-war-could-syria-become-obama-s-rwanda>, (03.08.2013).

⁸⁰⁴ Steve Chaggaris and Stephanie Condon, “U.S. : Syria used chemical weapons, crossing ‘red line’ “, **CBS News**

⁸⁰⁵ Dan Roberts, “ Obama’s cautious approach to Syrian intervention sparks growing concern”, **The Guardian**, 30.05.2013, <http://www.guardian.co.uk/world/2013/may/30/syria-obama-cautious-approach-intervention-criticism>, (03.08.2013).

which could have dragged the US in an Iraq-style conflict.⁸⁰⁶ Former National Security Adviser of the US, Zbigniew Brzezinski, identified the American strategy in Syrian conflict as premature. He stated that during the initial phases of the conflict, Obama called for Assad's resign and then the administration was in favor of the supplying weapons to Syrian rebels via Qatar, United Arab Emirates (UAE) and Saudi Arabia. However, as the Islamic extremist militants became the most successful Syrian opposition, the US administration tried to refrain from the responsibility of supplying weapons to these extremist groups. Following the use of chemical weapons by the Syrian regime, the US again has been on the scene of Syrian war in which the US and its allies stood on one side and Russia and Iran on the other.⁸⁰⁷ Brzezinski has been seeking to direct the White House to make cooperation with Russia and other global powers such as China, India and Japan rather than with the former colonial states of Britain and France to initiate election process in Syria that would result in the fall of Syrian government.⁸⁰⁸ Having considered the recommendations of Brzezinski, the Obama administration decided to hold the international Geneva conference II with the support of Russia even though the exact time and details of the conference is still not clear.⁸⁰⁹ In this sense, it can be said that having considered the complicated character of the Syrian conflict, Obama administration has not been willing to be stuck in the Syrian conflict without Russian approval.⁸¹⁰

On 19 June 2013, Obama said "We want to see a Syria that's unified, democratic, and at peace. Right now, we need to see an end to the bloodshed, and we have to make sure that chemical weapons are not used on the ground",⁸¹¹ However, due to the failure of the international community to prevent the massacre

⁸⁰⁶ Dan Roberts, "Obama's cautious approach to Syrian intervention sparks growing concern", **The Guardian**

⁸⁰⁷ Steve Clemons, "Obama Succeeded in Libya: He's Failing in Syria", **The Atlantic**, 24.06.2013, <http://www.theatlantic.com/international/archive/2013/06/obama-succeeded-in-libya-hes-failing-in-syria/277146/>, (03.08.2013).

⁸⁰⁸ Steve Clemons, "Obama Succeeded in Libya: He's Failing in Syria", **The Atlantic**

⁸⁰⁹ Michael R.Gordon, "Kerry Says U.S. and Russia Are Working Toward Syria Talks", **The New York Times**, 02.07.2013, http://www.nytimes.com/2013/07/03/world/asia/kerry-meeting-with-russia-counterpart-seeks-syria-talks-soon.html?_r=0, (03.08.2013).

⁸¹⁰ Anne Jamison, "Syria Civil War: Could Syria Become Obama's Rwanda?", **Policymic**

⁸¹¹ "Remarks by President Obama and German Chancellor Merkel in Joint Press Conference", **The White House**, 19.06.2013, <http://www.whitehouse.gov/the-press-office/2013/06/19/remarks-president-obama-and-german-chancellor-merkel-joint-press-confere>, (03.08.2013).

in Syria that has lasted for more than two years with its escalating character, some argue that the war in Syria has become the US government's second Rwanda case. Even though Obama's speech during the 18th anniversary of genocide in Rwanda issued assurance that international community share "responsibility to do all we can to protect civilians and to ensure that evil of this magnitude never happens again",⁸¹² the US has not pursued hardcore strategy to stop the massacre in Syria.

3.2.2. The United Kingdom

During the last decade, the UK government has acknowledged that Syria has played a significant role in the Middle East due to its warm relations with Iran, which in turn could affect its foreign policy regarding nuclear energy talks.⁸¹³ Furthermore, Syria's key role in Middle East Peace Talks within which the Israel-Syria conflict and Israel-Palestine conflict has tried to be resolved, has further increased the role of Syria for the stability of the Middle East.⁸¹⁴ The Syria's destabilizing effect on Lebanon, which has been one of the weakest links in the Middle East, with its role in the Lebanese conflict have necessitated containing Syria rather than isolating it.⁸¹⁵ The UK government was also hopeful about the leadership of Bashar al-Assad since he created some personal networks with the UK government due to his British education and his British-born wife.⁸¹⁶ However, expectations of the UK from the Syrian government to make domestic reforms, to distance itself from Iran and to maintain peace with Israel have not been fulfilled.⁸¹⁷ The authoritarian Assad

⁸¹² David Jackson, "Obama on Rwanda: Never again", **USA Today**, 08.04.22012, <http://content.usatoday.com/communities/theoval/post/2012/04/obama-on-rwanda-never-again/1#.Uekzm43wZq0>, (03.08.2013).

⁸¹³ Shadid Abbas, "Syrian-British relationship-Growing depth and breadth", **Global Arab Network** <http://www.english.globalarabnetwork.com/200907241865/Syria-Politics/growing-depth-and-breadth-of-syrian-british-relationship.html>, (03.08.2013).

⁸¹⁴ Thomas Seibert, "Israel and Syria 'to renew talks' say Turkey", **The National**, 11.03.2010, <http://www.thenational.ae/news/world/middle-east/israel-and-syria-to-renew-talks-says-turkey>, (08.08.2013).

⁸¹⁵ "Syria's Role in Lebanon", **United States Institute of Peace**, 2006, http://www.usip.org/sites/default/files/resources/syria_lebanon.pdf, (08.08.2013).

⁸¹⁶ Julian Borger, "Bashar al-Assad's crackdown kills UK hopes of a new dawn", **The Guardian**, 27.04.2011, <http://www.guardian.co.uk/world/2011/apr/27/bashar-al-assad-crackdown-kills-uk-hopes>, (03.08.2013).

⁸¹⁷ Borger, "Bashar al-Assad's crackdown kills UK hopes of a new dawn", **The Guardian**

regime's violent crackdown on its citizens was the peak point of Britain's disappointment with the Syrian government.

The UK government has defined its mission for Syria as supporting diplomatic solution for halting the war, ensuring a transition government and delivering humanitarian assistance to the Syrian people.⁸¹⁸ From the outset of the Syrian crisis, the UK government supported economic and political sanctions on the Syrian government and called for Assad to resign as in the case of the US. During the SC meeting in April 2011, the UK representative, Sir Mark Lyall Grant, called for the Syrian regime to adopt democracy by stating "President Al-Assad's Government needs to respond to the legitimate demands of the Syrian people with immediate and genuine reform, not brutal repression."⁸¹⁹ On 5 July 2011, the UK Foreign Secretary, William Hague, expressed his government's opposition to the Syrian regime by saying "the UK has made clear that President Assad must reform or step aside. If the regime continues to choose the path of brutal repression, pressure from the international community will only increase".⁸²⁰ As the violence increased in Syria, the UK officially condemned the brutality of the Syrian regime, which used tanks and artillery against civilians.⁸²¹ Having supported the EU's sanctions, Hague threatened the Syrian regime by stating "[t]oday's EU measures send a further clear and unambiguous message to the Syrian authorities: we will not stand by while the Syrian regime uses violent repression to silence its own people."⁸²² Furthermore, Hague made efforts to establish dialogue with the Russians and arrange the meetings of the 'Friends of Syria' group.⁸²³

⁸¹⁸ "UK and Syria", **The UK Government**, <https://www.gov.uk/government/world/syria>, (03.08.2013).

⁸¹⁹ "United Nations Security Council 6524th Meeting", **United Nations Security Council**

⁸²⁰ "Syria: Foreign Secretary comments on situation in Hama", **The UK Government**, 05.07.2011, <https://www.gov.uk/government/news/syria-foreign-secretary-comments-on-situation-in-hama>, (03.08.2013).

⁸²¹ "Foreign Secretary condemns brutal violence in Syria", **The UK Government**, 04.04.2012, <https://www.gov.uk/government/news/foreign-secretary-condemns-brutal-violence-in-syria>, (03.08.2013).

⁸²² "Foreign Secretary comments on new EU sanctions against Syria", **The UK Government**, 24.06.2011, <https://www.gov.uk/government/news/foreign-secretary-comments-on-new-eu-sanctions-against-syria>, (03.08.2013).

⁸²³ "Assessing Britain's response to the Syrian revolution", **Asharq Al-Awsat**, 02.08.2012, <http://www.aawsat.net/2012/08/article55241135>, (03.08.2013).

During the recent phases of the Syrian conflict, Britain's Prime Minister, David Cameron, has been the most willing leader about sending armament to "tip the balance" in favor of the opposition groups.⁸²⁴ However, the UK Parliament Intelligence and Security Committee opposed the lethal supply to the Syrian opposition, which is mentioned in its annual report of 2013. The report stated that the opposition groups in Syria have included Al-Qaeda and other jihadist groups, which constitute 'terrorist threat' to the UK and other Western countries.⁸²⁵ Therefore, the House of Commons reflected its reservations about sending weapons to Syria by stating "this House believes no lethal support should be provided to anti-government forces in Syria without the explicit prior consent of parliament."⁸²⁶ Cameron has defended his position by stating that maintaining peace in Syria should be based on a political solution that should be led by the US and Russia while refusing to ignore the supplying of the arms to rebels.⁸²⁷

Armament of Syrian rebels has been also discussed among the UK ministers and military officers. Some UK ministers have been opposed to it on the grounds that "[t]he securocrats in Whitehall and the military feel that there is no guarantee that weapons provided to the moderate rebels will stay out of the hands of the jihadists linked to al-Qaeda."⁸²⁸ Senior security and military officials have also been opposed for the same concerns. On the other hand, some officers in the Foreign Office has been against the idea of 'doing nothing'; for instance, one officer stated that "[t]here is an assumption that doing nothing is somehow a satisfactory option, but it isn't. Syria is currently a nightmare in which the country is becoming a crucible of jihadism, with real concerns about the fate of chemical weapons. Doing nothing

⁸²⁴ James Blitz, "Cameron Syria intervention case faces Whitehall dissent", **The Financial Times**, 21.06.2013, <http://www.ft.com/intl/cms/s/0/7435d7c0-da7c-11e2-8062-00144feab7de.html#axzz2Zb1FLCj8>, (03.08.2013).

⁸²⁵ "Intelligence and Security Committee of Parliament: Annual Report: 2012-2013", **State Watch**, 2013, <http://www.statewatch.org/news/2013/jul/uk-isc-annual-report-2012-13.pdf>, (03.08.2013).

⁸²⁶ "House of Commons vote on arming the Syrian rebels", **Stop the War Coalition**, <http://act.stopwar.org.uk/lobby/56>, (03.08.2013).

⁸²⁷ Patrick Wintour, "Syria crisis needs political solution, David Cameron tells MPs", **The Guardian**, 19.06.2013, <http://www.guardian.co.uk/politics/2013/jun/19/syria-crisis-political-solution-david-cameron>, (03.08.2013).

⁸²⁸ James Blitz, "Cameron Syria intervention case faces Whitehall dissent", **The Financial Times**

means Syria is on track to be an even bigger nightmare. There is therefore a need to take some risks.”⁸²⁹

Given the different perspectives of government and military officials about the Syrian intervention, Cameron adopted a value-based approach and combined it with the national interests of the UK; during a joint news conference with the US on 13 May 2013 he said that the world needed to stop the Syrian conflict, which “is happening on our watch”.⁸³⁰ Furthermore, he added that the both the UK and Russia had common interest in preventing the rise of Islamic extremists in the Middle East despite the difference in their methods to deal with them.⁸³¹ Cameron also put forward five principles that the international community can consider for Syria’s peace: establishing a transitional government; condemning the use of chemical weapons; giving humanitarian assistance to the Syrian people; struggling with the extremist groups; and designing in advance the first day of new Syria.⁸³² However, as the disagreement between the West and Russia has grown about supplying arms to the Syrian rebels, the peace talks for Syria have been delayed. On 18 June 2013, David Cameron again called for Russia to support the peace talks in Syria if it did not want to face isolation about this issue.⁸³³

Following the escalation of war between the opposition groups and the Syrian government, the UK administration revealed that it supplied non-lethal equipment to the Syrian opposition groups.⁸³⁴ Furthermore, the UK government explained that it delivered £348 million to assist the Syrian civilians, which has been regarded as the

⁸²⁹ James Blitz, “Cameron Syria intervention case faces Whitehall dissent”, **The Financial Times**

⁸³⁰ “UK’s Cameron: Syria’s History ‘Written in the Blood of its People’”, **CNBC**, 13.05.2013, <http://video.cnb.com/gallery/?video=3000168119>, (03.08.2013).

⁸³¹ Michael R.Gordon and Michael D. Shear, “A Focus on Syria for Obama and Cameron”, **The New York Times**, 13.05.2013, <http://www.nytimes.com/2013/05/14/world/middleeast/obama-and-cameron-press-putin-on-syria.html>, (03.08.2013).

⁸³² “David Cameron tells Russia at G8 Summit: Join the club or face isolation on Syria”, **The Independent**, 18.06.2013, <http://www.independent.co.uk/news/uk/politics/david-cameron-tells-russia-at-g8-summit-join-the-club-or-face-isolation-on-syria-8662591.html>, (03.08.2013).

⁸³³ “David Cameron tells Russia at G8 Summit: Join the club or face isolation on Syria”, **The Independent**

⁸³⁴ “Gifting of non-lethal equipment to Syrian Opposition”, **The UK Government**, 15.04.2013, <https://www.gov.uk/government/speeches/gifting-of-non-lethal-equipment-to-syrian-opposition>, (03.08.2013).

UK's largest humanitarian assistance to an international crisis.⁸³⁵ It has been claimed that even though the UK has been willing to take harsher action against the Syrian government, it does not have sufficient international and domestic support. In this sense, the British public opinion has been influential on the British foreign policy in Syria, since 43 percent of the British people think that the UK should not play an active role in a domestic crisis such as Syria, while only 23 percent think that the UK has a responsibility to protect people in domestic conflicts.⁸³⁶ According to Jane Kinninmont from the Chatham House the public opinion about possible Syrian intervention has been adversely influenced by the British military ground-war experience in Afghanistan and Iraq.⁸³⁷

Despite this public opposition, Britain has been diplomatically active in Syrian fighting and its rhetoric has been in favor of supporting the Syrian opposition. Some specialists such as Stephen Starr argued that Britain has been comfortable to design its rhetoric in favor intervention since the government has been aware of the block of China and Russia on any intervention in the UNSC.⁸³⁸ Actually, some experts argue that UK has not been willing to be part of the Syrian conflict, which increasingly has become a war between the Salafist and Shi'ite Islam.⁸³⁹ Despite its rhetoric, the cautious policy of the UK government in the Syrian conflict was interpreted by Professor Joshua Landis as "none of the Western powers want to get sucked into Syria by intervening too precipitously. The lack of unity among the opposition militias is so not encouraging. How will they stabilize the country once the government falls?"⁸⁴⁰

⁸³⁵ "Syria Crisis: Latest updates on UK aid", **The UK Government**, 25.07.2013, <https://www.gov.uk/government/news/syria-the-latest-updates-on-uk-aid>, (03.08.2013).

⁸³⁶ Jonathan Knight, Robin Niblett and Thomas Raines, "Hard Choices Ahead; British Attitudes Towards the UK's International Priorities", **The Chatham House**, <http://www.europarl.org.uk/resource/static/files/hard-choices-ahead.pdf>, (03.08.2013).

⁸³⁷ Jane Kinninmont is Senior Research Fellow, Middle East and North Africa Programme, Chatham House. See, Jonathan Knight, Robin Niblett and Thomas Raines, "Hard Choices Ahead; British Attitudes Towards the UK's International Priorities", **The Chatham House**

⁸³⁸ "Assessing Britain's response to the Syrian revolution", **Asharq Al-Awsat**

⁸³⁹ Paul Goodman, "There is no British national interest in being dragged into Syria's sectarian war", **Conservative Home**, 17.06.2013, <http://conservativehome.blogs.com/thetorydiary/2013/06/by-paul-goodman-david-cameron-knows-that-as-matters-stand-the-commons-is-unlikely-to-vote-to-arm-elements-of-the-syrian-oppo.html>, (03.08.2013).

⁸⁴⁰ Professor Joshua Landis is Director of the Centre for Middle East Studies at University of Oklahoma and writer of the Syria Comment website. "Assessing Britain's response to the Syrian revolution", **Asharq Al-Awsat**

3.2.3. France

The relations of France with the Assad regime for thirty years have been dependent on the French interests in the region. For instance, the French President Francois Mitterrand did not condemn the Hama massacre of the Hafez Al-Assad regime in 1982 due to the French government's concern about the rising Islamic fundamentalism and its belief that Syria was a stabilizing country in the region.⁸⁴¹ During the Jacques Chirac era, relations with Syria deteriorated due to the assassination of the Lebanese President Rafic Hariri in 2005 for which France accused and isolated Syria. Nicholas Sarkozy attempted to normalize relations with Syria, arguing that their relations were "structural and strategic".⁸⁴² However, long-lasting close relations between Syria and Iran, which were based on the convergence of their interests in the Middle East, have continued to annoy France.⁸⁴³

As the violent crackdown of the Assad government on the protesters started in 2011, France, which historically did not have stable relations with Syria, took the harsh position and condemned the Syrian regime. It is important to note that France was the first country that regarded the SNC as "the legitimate interlocutor" of the Syrian people.⁸⁴⁴ The French delegation reminded the UNSC of its responsibility by stating "[t]he Syrian people's call for freedom, democracy and respect for their universal rights must be heard by the Syrian authorities or, failing that, by the Security Council."⁸⁴⁵ France also pressurized the UNSC to take a tougher line on Syria as the Assad regime continued to deploy disproportionate power against the protesters. The French Foreign Minister, Laurent Fabius, said that due to the increasing violence in Syria "[w]e have therefore decided to strengthen our efforts to stop this regime of death and blood", and he proposed to the UNSC to apply Chapter

⁸⁴¹ Hama massacre was against the Muslim Brotherhood who was leading the protests in 1982. See "French foreign policy toward Syria: From friendship to hostility", **The Journal of Turkish Weekly**, 20.03.2013, <http://www.turkishweekly.net/news/148218/french-foreign-policy-toward-syria-from-friendship-to-hostility.html>, (03.08.2013).

⁸⁴² French foreign policy toward Syria: From friendship to hostility", **The Journal of Turkish Weekly**

⁸⁴³ Will Fulton, Robert Frasco and Ariel Farrar-Wellman, " Syria-Iran Foreign Relations", **Iran Tracker**, 15.08.2011, <http://www.irantracker.org/foreign-relations/syria-iran-foreign-relations>, (03.08.2013).

⁸⁴⁴ "Paris Says SNC a Legitimate Syria Interlocutor, Chief Rejects Attacks on Army", **Naharnet**, 23.11.2011, <http://www.naharnet.com/stories/en/21195>, (03.08.2013).

⁸⁴⁵ "United Nations Security Council 6524th Meeting", **United Nations Security Council**

VII of the UN Charter to the Syrian crisis, which was impossible without Russia's and China's support.⁸⁴⁶

On 6 June 2013, the French Foreign Minister, Laurent Fabius, announced that the Syrian government passed the "red line" by using chemical weapons against its own citizens and added "France has the certainty that sarin gas has been used repeatedly in Syria in a localized manner".⁸⁴⁷ However, it can be said that France adopted a cautious policy in Syria even though there has been evidence of the use of chemical weapons by the Syrian government. Fabius, for instance, said "[e]ither we decide not to react, or we react, including in an armed manner, where the gas is produced and stocked. [But] we're not there yet."⁸⁴⁸ However, the French President, Francois Hollande, called for the international community to take harsher action against the Syrian regime by stating "[w]e have provided the elements of proof that now obligate the international community to act" while warning to take action within the fabric of international law.⁸⁴⁹ In this sense, France was opposed to acting outside the UNSC as the French government spokeswoman, Najat Vallaud-Belkacem, openly stated that there would be no unilateral action of France in Syria without the approval of international community.⁸⁵⁰

As in the case of the US and the UK, the French government has been concerned about the rise of extremist Islamist groups in Syria and the areas that have been controlled by them. On 23 June 2013, Hollande warned "the opposition must retake control of these areas and push these groups out."⁸⁵¹ Accordingly, the arming

⁸⁴⁶ John Irish and Patrick Vignal, "France to propose U.N. Chapter 7 provision on Syria", **Reuters**, 13.06.2012, <http://www.reuters.com/article/2012/06/13/us-syria-crisis-france-idUSBRE85C0VR20120613>, (03.08.2013).

⁸⁴⁷ Lara Marlowe and Mark Hennessy, "France revives debate about possible Western military intervention in Syria", **The Irish Times**, 06.06.2013, <http://www.irishtimes.com/news/world/middle-east/france-revives-debate-about-possible-western-military-intervention-in-syria-1.1418326>, (03.08.2013).

⁸⁴⁸ Lara Marlowe and Mark Hennessy, "France revives debate about possible Western military intervention in Syria", **The Irish Times**

⁸⁴⁹ Elad Benari, "Hollande: World Must Act Over Use of Chemical Weapons in Syria", **Israel National News**, 06.06.2013, <http://www.israelnationalnews.com/News/News.aspx/168661#UevUcdKSJXM>, (03.08.2013).

⁸⁵⁰ "France not to take unilateral decision on Syria intervention : Official", **Press TV**, 05.06.2013, <http://www.presstv.ir/detail/2013/06/05/307330/france-not-to-decide-alone-on-syria/>, (03.8.2013).

⁸⁵¹ "Hollande urges Syria rebels to retake extremist zones", **The Daily Star**, 23.06.2013, <http://www.dailystar.com.lb/News/Middle-East/2013/Jun-23/221321-hollande-urges-syria-rebels-to-retake-extremist-held-zones.ashx#axzz2ZgOVVMR0>, (03.08.2013).

of opposition groups in Syria has been a sensitive issue for France as Hollande said “[w]e cannot provide these arms to groups that would use them against the interests of a democratic Syria or against us.”⁸⁵² In order to assist the moderate Syrian opposition groups, France and Qatar has adopted a ‘common approach’ on Syria which has been “helping the opposition defend themselves and gain positions on ground, while working towards achieving a “political solution””.⁸⁵³ France has also shared the same concerns with Saudi Arabia about the control of Syria by extremist groups, and their officials met in order to find a solution to deal with Iran-Syria-Hezbollah partnership.⁸⁵⁴

Some argue that France has acted according to the R2P doctrine, which the French government endorsed in its White Paper on defense and national security, which states that sending French military forces abroad should be dependent on the R2P doctrine.⁸⁵⁵ On the other hand, it has been claimed that the French socialist government’s active policy in Syria has been derived from domestic concerns, since the French President Hollande has tried to restore his popularity through creating an image of internationally strong leader after his government has been exposed to the main opposition party’s criticism that the government did not pursue an active policy regarding Syria in contrast to Sarkozy’s fast action in Libya.⁸⁵⁶

3.2.4 Russian Federation

Syria has been the strategic partner of Russia in the Middle East since its independence in 1946. Syria’s need for support against the Israel problem in the region has transformed the Syria-Russia relations into a ‘client-patron relationship’

⁸⁵² “Hollande urges Syria rebels to retake extremist zones”, **The Daily Star**

⁸⁵³ “Hollande urges Syria rebels to retake extremist zones”, **The Daily Star**

⁸⁵⁴ Mohammad Ballout, “France, Saudi Arabia Increase Syria Coordination Post-Qusair”, **AlMonitor**, <http://www.al-monitor.com/pulse/politics/2013/06/france-saudi-arabia-coordinate-syria-efforts-qusair-geneva.html>, (03.08.2013).

⁸⁵⁵ “The French White Paper on defence and national security”, **Presidence De La Republique**, http://www.ambafrance-ca.org/IMG/pdf/Livre_blanc_Press_kit_english_version.pdf, (03.08.2013).

⁸⁵⁶ “Dynamics behind France’s commitment to Syrian peace”, **The Journal of Turkish Weekly**, 14.03.2013, <http://www.turkishweekly.net/news/148106/dynamics-behind-france-39-s-commitment-to-syrian-peace.html>, (03.08.2013).

in the face of the cooperation between the US and Israel.⁸⁵⁷ Russia's economic and political interests, on the other hand, have obligated Russia to protect the Syrian regime. For instance, in 2011, Russia's war industry sold approximately \$1 billion worth of arms to Syria and there has been also \$4 billion worth of ongoing arm deals.⁸⁵⁸ It has also been claimed that Russia has exported various arms and ammunition to the Syrian government via Russian ships since the conflict has erupted.⁸⁵⁹ However, the Russian representative to the UNSC claimed that the arms they exported have been defensive in character "especially when what we are delivering is not that which can be used to shoot demonstrators."⁸⁶⁰ The Russian secretary of the commercial and economic section at the embassy explained that the trade volume between Syria and Russia was at \$1.97 billion in 2011 while decreasing in the last year due to the conflict in Syria.⁸⁶¹ Furthermore, Russia's only military base in the Mediterranean has been located in Tartus port of Syria, which has been argued to be symbolically important for Russia's power projection in the Middle East.⁸⁶²

Having considered the importance of Syria for Russia, it is not surprising that since the initial stages of the conflict, the Russian government argued that the conflict was an internal issue of the Syrian people, which would escalate with external interference. The Russian administration has been opposed to military solution since it believed that it would lead to "radicalization of the country" with the existence of extremist groups on the ground.⁸⁶³ The foreign policy priority of Russia regarding Syria has been explained as halting the violence through political dialogue,

⁸⁵⁷ Primož Manfreda, "Why does Russia support the Syrian Regime?" **About.com**, <http://middleeast.about.com/od/syria/a/Why-Does-Russia-Support-The-Syrian-Regime.htm>, (03.08.2013).

⁸⁵⁸ Primož Manfreda, "Why does Russia support the Syrian Regime?" **About.com**

⁸⁵⁹ Thomas Grove and Erika Solomon, "Russia boosts arms sales to Syria despite world pressure", **Reuters**, 21.02.2012, <http://www.reuters.com/article/2012/02/21/us-syria-russia-arms-idUSTRE81K13420120221>, (03.08.2013).

⁸⁶⁰ Primož Manfreda, "Why does Russia support the Syrian Regime?" **About.com**

⁸⁶¹ "Russia-Syria trade up 58 percent", **The Daily Star**, 21.02.2012, <http://www.dailystar.com.lb/Business/Middle-East/2012/Feb-21/164120-syria-russia-trade-up-58-percent.ashx#ixzz1wH5hUfX1>, (03.08.2013).

⁸⁶² Primož Manfreda, "Why does Russia support the Syrian Regime?" **About.com**

⁸⁶³ "Transcript of the Interview by the Foreign Minister of Russia S.Lavrov to the Foreign Policy Magazine, published on April 29, 2013", **The Ministry of Foreign Affairs of the Russian Federation**, 29.04.2013, http://www.mid.ru/brp_4.nsf/0/3BBAF8ED0603EFD044257B5C004E77B0, (03.08.2013).

not trying to change the regime.⁸⁶⁴ During the SC meetings, the Russian delegation made it clear that the military intervention in Syria which was seen as “the corner stone of the Middle East security architecture” could destroy the balance in the region.⁸⁶⁵ Following the veto of the Russia on the draft UNSC Resolution on 4 October 2011, which condemned the Syrian government and called for it to stop the violence immediately, the Russian delegation expressed that Russia could not accept the resolution whose foundation was a logic of “confrontation” and that Russia was in favor of political conciliation rather than intimidating the Syrian authorities.⁸⁶⁶ Furthermore, it is important to note that the Russian delegation also reminded their criticism regarding the Libya intervention in which NATO exceeded the UN mandate, and expressed Russia’s similar concerns about the possible NATO action in Syria under the “responsibility to protect”.⁸⁶⁷ Even though Russia repeatedly opposed the UNSC resolutions on the grounds that they would have exercised too much pressure on the Assad government and would have made military intervention possible,⁸⁶⁸ it has attempted to establish dialogue with the representatives of the al-Assad regime and encouraged the government to make more domestic reforms.⁸⁶⁹ Furthermore, it supported the Kofi Annan’s peace plan in Syria and attended the Geneva Talks I with the US, China and Western states in order to find a political solution in Syria.⁸⁷⁰

In spite of being part of the political process for Syrian peace, Russia continued to criticize the plans of the US and its allies on arming the rebels since it has not trusted the opposition groups in Syria, which have been to a greater extent

⁸⁶⁴ “Transcript of the Interview by the Foreign Minister of Russia S.Lavrov to the Foreign Policy Magazine, published on April 29, 2013”, **The Ministry of Foreign Affairs of the Russian Federation**

⁸⁶⁵ “United Nations Security Council 6524th Meeting”, **United Nations Security Council**

⁸⁶⁶ “United Nations Security Council 6627th Meeting”, **United Nations Security Council**, 04.10.2011, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6627, (07.08.2013).

⁸⁶⁷ “United Nations Security Council 6627th Meeting”, **United Nations Security Council**

⁸⁶⁸ Rick Gladstone, “Friction at the U.N. as Russia and China Veto Another Resolution on Syria Sanctions”, **The New York Times**, 19.07.2012, http://www.nytimes.com/2012/07/20/world/middleeast/russia-and-china-veto-un-sanctions-against-syria.html?_r=0, (03.08.2013).

⁸⁶⁹ “Russia vows to keep assisting Syrian dialogue”, **RT**, 11.11.2011, <http://rt.com/politics/syria-opposition-moscow-meeting-575/>, (03.08.2013).

⁸⁷⁰ “Geneva Talks Back Transitional Government in Syria”, **RiaNovosti**, 30.06.2012, <http://en.rian.ru/world/20120630/174332610.html>, (03.08.2013).

controlled by the extremist groups.⁸⁷¹ Russia has also claimed that there has been no evidence of using chemical weapons by the Syrian government, and it has said that there has been strong perception in Russia that these accusations would be used as the justification of a possible military intervention.⁸⁷² Additionally, the Russian government has argued that chemical weapons have been used by the extremist groups during the last phases of the war.⁸⁷³ Russia has supported the Assad regime, which can be visible with the Russian warships' visit to the Syrian port of Tartus, which began in 2012. It has been claimed that the reasons behind these naval visits were both Russia's intention to deter the US's possible military intervention in Syria and supplying heavy weapons to the Syrian regime in this port.⁸⁷⁴ The Russian Foreign Minister defended Russia's position on selling arms to the Syrian government on the ground that the weapons have been defensive in nature and the Syrian government has been in need of anti-craft defensive weapons. On the other hand, he accused those states that supplied the armed opposition groups with offensive weapons, which has escalated the war in Syria.⁸⁷⁵

From the perspective of regional interests of Russia, the overthrow of the Assad government by the Islamist extremist groups has been a serious concern, since some of them came from the Northern Caucasus and their possible return would escalate the insecurity in the Northern Caucasus where Russia has tried to establish control.⁸⁷⁶ Furthermore, it has been claimed that Russia has been concerned about the increasing role of Qatar, Turkey and Saudi Arabia in Syria, since it has been anxious about the tilting of the balance in favor Sunni powers, which have been allies of the US.⁸⁷⁷ Furthermore, some rightist Russian officials tend to think that the US has tried to raise its geopolitical position in the Middle East by provoking domestic opposition in projected countries via soft power tools and then using military force to oust

⁸⁷¹ Alexey Pushkov, "Behind Russia's Syria Stance", **The National Interest**, 19.07.2013, <http://nationalinterest.org/commentary/behind-russias-syria-stance-8623?page=2>, (03.08.2013).

⁸⁷² Alexey Pushkov, "Behind Russia's Syria Stance", **The National Interest**

⁸⁷³ Marek Menkiszak, "Responsibility to Protect... Itself? Russia's Strategy towards the Crisis in Syria", **Fiiia Briefing Paper 131**, 2013, p. 3

⁸⁷⁴ Menkiszak, p. 3.

⁸⁷⁵ Transcript of the Interview by the Foreign Minister of Russia S.Lavrov to the Foreign Policy Magazine, published on April 29, 2013", **The Ministry of Foreign Affairs of the Russian Federation**

⁸⁷⁶ Menkiszak, p. 6.

⁸⁷⁷ Menkiszak, p. 6 .

illegitimate governments. Even they think that ‘Arab Spring’ has been designed by the US in order to overthrow the government in the Middle East and North Africa.⁸⁷⁸ Prime Minister Vladimir Putin at that time also pointed to the role of external powers in the ‘Arab Spring’ by stating “[r]egrettably, these methods [soft power] are being used all too frequently to develop and provoke extremist, separatist and nationalistic attitudes, to manipulate the public and to conduct direct interference in the domestic policy of sovereign countries.”⁸⁷⁹ The head of the Foreign Relations Committee of the State Duma Alexei Pushkov shared Putin’s concern:

*U.S. foreign policy is aimed at eliminating all the factors that interfere with U.S. global strategy. As a result, over the past 12 years, the United States spent four wars in different regions. In Yugoslavia, it prevented Milosevic. In Iraq, they prevented Saddam Hussein. In Libya, Gaddafi prevented. Now in Syria, prevents them from Assad. Today is preparing another war - against Iran, which also interferes with America. And we, too, they interfere. Ideally, the U.S. would like to isolate us in Syria, but it is impossible.*⁸⁸⁰

In terms of domestic politics, it can be observed that the foreign policy strategy of Putin has been different from Medvedev who has been committed to maintain more positive relations with the Western countries. During the initial phases of the Syrian conflict, Medvedev warned the Assad regime by stating “Assad needs to urgently launch reforms, make peace with the opposition, restore civil order and create a modern state. If he cannot do that, a sad fate awaits him, and we will also be forced to ultimately take some decisions on Syria.”⁸⁸¹ However, as Putin became president in 2012, the attitude of Russia has changed in favor of the Syrian government. The Putin government has been harshly opposed to any military intervention in Syria while accusing the US government for its support of rebel groups.⁸⁸²

⁸⁷⁸ Menkiszak, p. 7.

⁸⁷⁹ Vladimir Putin, “Vladimir Putin on foreign policy: Russia and the changing world”, **Valdai Discussion Group**, 27.02.2012, <http://valdaiclub.com/politics/39300.html>, (03.08.2013).

⁸⁸⁰ Alexei Pushkov, “Do not let yourself be pressed: The main challenges for Russia”, **RG.RU**, 08.05.2012, <http://www.rg.ru/2012/05/08/pushkov.html>, (03.08.2013).

⁸⁸¹ “Russia: We May Be ‘Forced to Ultimately Take Some Decisions on Syria’, Warns Assad to Prepare for ‘Sad Fate’”, **MidnightWatcher’s Blogspot**, 13.08.2011, <http://midnightwatcher.wordpress.com/2011/08/13/russia-we-may-be-forced-to-ultimately-take-some-decisions-on-syria-warns-assad-to-prepare-for-sad-fate/> (03.08.2013).

⁸⁸² Vladimir Putin, “Vladimir Putin on foreign policy: Russia and the changing world”, **Valdai Discussion Group**

Concerning the perspective of Russia on humanitarian intervention and the R2P doctrine, it can be said that Russia has preserved its traditional policy in favor of the non-interference principle and the superiority of sovereignty. On 29 April 2013, the Russian Foreign Minister, Sergei Lavrov, repeated Russia's opposition to any intervention in Syria by quoting from Alexander Gorchakov's work,⁸⁸³ which says "[f]oreign intervention into the domestic matters is unacceptable. It is unacceptable to use force in international relations, especially by the countries who consider themselves leaders of civilization."⁸⁸⁴ The Russian government has been also displeased with the use of the R2P doctrine by the UNSC members for militarily intervening into the domestic affairs of other countries. This attitude of Russia can be best seen in Russia Foreign Policy Concept of 2013 where it is stated "[i]t is unacceptable that military interventions and other forms of interference from without which undermine the foundations of international law based on the principle of sovereign equality of states, be carried out on the pretext of implementing the concept of "responsibility to protect".⁸⁸⁵ The Russian Foreign Minister Lavrov also said that the R2P doctrine emphasizes that the main responsibility should be undertaken by the state itself and if the state cannot protect its citizens, then following the exhaustion of all efforts, the duty to intervene only belongs to the UNSC, not individual states.⁸⁸⁶

3.2.5. China

As in the case of Russia, China has also been opposed to any military intervention in Syria and vetoed the UNSC resolutions that condemned or threatened the Syrian regime with sanctions. It is argued that China's policy on the crises of the Middle East is generally based on the efforts to avoid any Western intervention and

⁸⁸³ Alexander Gorchakov is an important Russian statesman who served Russian Empire as a State Chancellor from 1863 to 1883.

⁸⁸⁴ Transcript of the Interview by the Foreign Minister of Russia S.Lavrov to the Foreign Policy Magazine, published on April 29, 2013", **The Ministry of Foreign Affairs of the Russian Federation**

⁸⁸⁵ "Concept of the Foreign Policy of the Russian Federation", **The Ministry of Foreign Affairs of the Russian Federation**, 12.02.2013, http://www.mid.ru/brp_4.nsf/0/76389FEC168189ED44257B2E0039B16D, (03.08.2013).

⁸⁸⁶ Transcript of the Interview by the Foreign Minister of Russia S.Lavrov to the Foreign Policy Magazine, published on April 29, 2013", **The Ministry of Foreign Affairs of the Russian Federation**

forceful change of regime even for the sake of humanity.⁸⁸⁷ Since the initial phases of the conflict, China has adopted a policy in favor of finding a political solution rather than applying sanctions or force on the Syrian regime while praising the Syrian government's reforms. During the SC meeting on 21 April 2011, the Chinese delegation appreciated the reforms of the Syrian government such as removing the state of emergency. Having acknowledged the importance of Syria in the region, the Chinese delegation expressed that Syrian conflict should be solved through "political dialogue" within the framework of the UN.⁸⁸⁸ Following the veto on the draft UNSC resolution on 4 October 2011, the Chinese delegation emphasized the superiority of "Syria's sovereignty, independence and territorial integrity" and said that any intervention in Syria should be compatible with these principles. While justifying the Chinese veto, the Chinese delegation argued that any sanction or threat to apply sanctions could have worsened the situation in Syria.⁸⁸⁹ Furthermore, after vetoing another draft SC resolution on 19 July 2012, which renewed the UNSMIS mandate and threatened the Syrian government with sanctions, the Chinese delegation again mirrored the traditional Chinese policy on humanitarian intervention and emphasized the importance of sovereign equality of states by stating "the future and fate of Syria should be independently decided by the Syrian people, rather than imposed by the outside forces".⁸⁹⁰ Moreover, the delegation stated that aforesaid draft resolution was contestable since it aimed to make pressure on merely one part of the Syrian conflict. In this sense, this resolution could have escalated the war in Syria, which in return would have weakened "regional peace and stability".⁸⁹¹

Despite its vetoes of the draft UNSC Resolutions, China supported the diplomatic initiatives such as Annan's six-point peace plan and the dispatch of the Action Group for Syria that was endorsed in Geneva Talks I. As a diplomatic effort, the Chinese government appointed Li Huaxin as its "special envoy" to arbitrate among the Syrian parties, which has been interpreted as its willingness to extend its

⁸⁸⁷ I-wei Jennifer Chang, "China's Evolving Stance on Syria", **Middle East Institute**, 18.02.2013, <http://www.mei.edu/content/chinas-evolving-stance-syria>, (03.08.2013).

⁸⁸⁸ "United Nations Security Council 6524th Meeting", **United Nations Security Council**

⁸⁸⁹ "United Nations Security Council 6627th Meeting", **United Nations Security Council**

⁸⁹⁰ "United Nations Security Council 6810th Meeting", **United Nations Security Council**, 19.07.2012, http://www.un.org/ga/search/view_doc.asp?symbol=S/PV.6810, (07.08.2013).

⁸⁹¹ "United Nations Security Council 6810th Meeting", **United Nations Security Council**

area of influence and raise its international position.⁸⁹² China also warned the Assad regime to undertake some reforms such as making referendum on new constitution and holding parliamentary elections.⁸⁹³ Explaining China's diplomatic activism, China's special envoy to the Middle East, Wu Sike, said "[n]on-interference in each other's internal affairs does not mean doing nothing".⁸⁹⁴ Furthermore, the Chinese Foreign Ministry announced a six-point statement for maintaining peace in Syria, according to which: the Syrian government and opposition groups should halt the violence in the country; there should be "inclusive political dialogue" among the Syrian government and opposition under the conciliation of the Joint Special Envoy of the UN and AL; there should be only humanitarian assistance to the Syrian people, not any military interference; there should be respect for the sovereignty and territorial integrity of Syria; diplomatic efforts of the Joint Special Envoy of the UN and AL should continue; all the UNSC members should behave in line with the principles of the UN and any political solution to the crisis will be welcomed by the Chinese government.⁸⁹⁵

Regarding China's attempts to block the UNSC Resolutions on Syria, it has been claimed that the Libya intervention has adversely influenced China's foreign policy decisions regarding Syria, since both the Chinese and Russian governments have believed that NATO exceeded the mandate of Resolution 1973 by launching air strikes against the civilians.⁸⁹⁶ In terms of geopolitical considerations, China has also been concerned about the overthrow of Syrian government by the radical Islamist groups and the spillover effect of that on China's Muslim communities in Xinjiang.⁸⁹⁷ China has been also displeased with the involvement of the US in the Middle East politics. The military intervention in Syria could weaken the position of Iran and assist the US to control the Iranian oil from which China has benefited to

⁸⁹² Cheng Guangjin, "China cements role as global mediator", **China Daily**, 28.12.2012, http://usa.chinadaily.com.cn/epaper/2012-12/28/content_16065082.htm, (03.08.2013).

⁸⁹³ "China calls on Syria's Assad to speed up reforms", **BBC News**, 11.11.2011, <http://www.bbc.co.uk/news/world-middle-east-15257380>, (03.08.2013).

⁸⁹⁴ Cheng Guangjin, "China cements role as global mediator", **China Daily**

⁸⁹⁵ "China raises six-point statement for resolving Syria issue", **Xinhuanet**, 04.03. 2012, http://news.xinhuanet.com/english/china/2012-03/04/c_122786700.htm, (03.08.2013).

⁸⁹⁶ Yun Sun, "Syria: What China Has Learned from its Libya Experience", **Asia Pacific Bulletin**, 27.02.2012, http://www.eastwestcenter.org/sites/default/files/private/apb152_1.pdf, (03.08.2013).

⁸⁹⁷ "China's stake in the Syria stand-off", **BBC News**, 24.02.2012, <http://www.bbc.co.uk/news/world-asia-china-17158889>, (03.08.2013).

meet its energy demands.⁸⁹⁸ Even though the Chinese economic and political interests regarding Syria is not paramount as the Russian interests, China and Syria have strong economic relations with their high trade volume and deals in oil industry. For instance, in 2011, China announced Syria as one of its most important trade partners with more than \$2.4 billion trade deals about the electronic apparatus and machinery industry, which were concluded following the establishment of the Syrian-Chinese Business Council in 2004. In addition, China has also interests in the Syrian oil industry in which China National Petroleum Corporation has important shares.⁸⁹⁹

Some scholars argue that China tried to conform to Russia's behavior during the UNSC meetings. It has been said that given their economic and diplomatic cooperation, losing the support of Russia in the international arena has been more risky for the Chinese government than vetoing the SC Resolution on Syria.⁹⁰⁰ Furthermore, in terms of domestic politics, the Chinese Communist Party has been severely opposed to democratic transition with the international assistance since it has been concerned about the possibility of similar uprising in China.⁹⁰¹ In this sense, China's leaders have been sensitive about the international intervention in the domestic affairs of states given its historical experience with imperialism and Western interference in its internal affairs in the 19th and the beginning of the 20th century.⁹⁰²

With respect to China's approach to humanitarian intervention and the R2P doctrine, it can be said that China's traditional perspective about the norms of state sovereignty and non-interference has not changed. Both China and Russia have

⁸⁹⁸ In spite of the importance of Iranian oil for China, during the recent years China has tried to diversify its oil sources and import oil from other countries such as Sudan, South Sudan, Venezuela, Russia and Angola. "China", **U.S. Energy Information Administration**, 22.04.2013, <http://www.eia.gov/countries/cab.cfm?fips=CH>, (03.08.2013).

⁸⁹⁹ Juel Wuthnow, "Why China Would Intervene in Syria", **The National Interest**, 16.07.2012, <http://nationalinterest.org/commentary/why-china-would-intervene-syria-7197>, (03.08.2013).

⁹⁰⁰ Minxin Pei, "Why Beijing votes with Moscow", **The New York Times**, 07.02.2012, http://www.nytimes.com/2012/02/08/opinion/why-beijing-votes-with-moscow.html?_r=0, (03.08.2013).

⁹⁰¹ Minxin Pei, "Why Beijing votes with Moscow", **The New York Times**

⁹⁰² Amanda Paul, "China and the Syria Crisis", **Today's Zaman**, 06.11.2012, <http://www.todayszaman.com/columnist-297366-china-and-the-syria-crisis.html>, (03.08.2013).

demonstrated their reservations about any intervention in Syria owing to their common sensitivity about the non-interference principle and their mistrust as to the real intentions of Western states.⁹⁰³ According to China, the R2P doctrine “should not contravene the principle of state sovereignty and the principle of non-interference of internal affairs”⁹⁰⁴, and the behavior of China in the Syrian conflict is a manifestation of this perspective. The White paper on China’s armed forces (2013) can give an idea of China’s future attitude toward the R2P, which openly states “China opposes hegemonism and power politics in all their forms, does not interfere in other countries’ internal affairs and will never seek hegemony or engage in expansion.”⁹⁰⁵ China has also been critical of the extended mandate of the UN in Libya, since it thought “abuse of force [is] causing more civilian casualties and more serious humanitarian disasters”.⁹⁰⁶ Therefore, in order to avoid a Libya-like intervention, even moderate SC resolutions on Syria met with the vetoes of Russia and China.⁹⁰⁷

Overall, the behavior of the SC members and the gravity of the situation in Syria created disappointment about the implementation of the ‘responsibility to protect’ doctrine in cases that ‘shocks human conscience’. In this sense, the Syrian case shows that the R2P doctrine will not be applied to each case if the military intervention has the potential to adversely affect the national interests of any permanent member of the SC. After examining the concerns of the SC members regarding a possible Syrian intervention, this case demonstrates that the lack of political will to resolve the contradictions that exist between humanitarian concerns

⁹⁰³ I-wei Jennifer Chang, “China’s Evolving Stance on Syria”, **Middle East Institute**

⁹⁰⁴ “Statement by Ambassador Liu Zhenmin At the Plenary session of the General Assembly on the Question of “Responsibility to Protect”, **Permanent Mission of the People’s Republic of China to the UN**, 24.07.2009, <http://www.china-un.org/eng/hyyfy/t575682.htm>, (03.08.2013).

⁹⁰⁵ “Full Text: The Diversified Employment of China’s Armed Forces”, **Ministry of National Defense of the People’s Republic of China**, 16.04.2013, http://eng.mod.gov.cn/TopNews/2013-04/16/content_4442750.htm, (03.08.2013).

⁹⁰⁶ “China concerned with civilian casualties in Libya : FM spokeswoman”, **People’s Daily Online**, 23.03.2011, <http://english.peopledaily.com.cn/90001/90776/90883/7328080.html>, (03.08.2013).

⁹⁰⁷ Michael D.Swaine, “Chinese Views of the Syrian Conflict”, **China Leadership Monitor**, No.39,p.6. <http://media.hoover.org/sites/default/files/documents/CLM39MS.pdf>, (03.08.2013).

and geopolitical interests remains alive.⁹⁰⁸ In this sense, the R2P doctrine is likely to be selectively implemented in humanitarian crises rather than according to the universally standard rules.⁹⁰⁹

⁹⁰⁸ Stewart M. Patrick, “Does Syria Mean the End of the Responsibility to Protect?”, **The Atlantic**, 13.06.2013, <http://www.theatlantic.com/international/archive/2013/06/does-syria-mean-the-end-of-the-responsibility-to-protect/276866/>, (03.08.2013).

⁹⁰⁹ Spencer Zifcak, “The Responsibility to Protect after Libya and Syria”, **Melbourne Journal of International Law**, Vol. 13, 2012, p.34.

CHAPTER 4

THE “RESPONSIBILITY TO PROTECT” DOCTRINE: HAS IT MADE ANY DIFFERENCE IN THE BEHAVIOR OF THE UNSC PERMANENT MEMBERS?

Almost ten years after the acceptance of the World Summit Outcome Document and five years after the issue of the UN Secretary-General's report on *Implementing the Responsibility to Protect*, there are still suspicions about the effectiveness of the R2P to halt the violence in states suffering from civil war. In order to understand whether the R2P doctrine is effective or not, it is significant to examine whether there has been evolution in the rhetoric and actions of the UNSC permanent members in the direction of a more solidarist perspective on protecting people. We can see that the rhetoric and actions of the UNSC permanent members have varied from case to case before the adoption of the R2P doctrine. In this sense, it can be observed that the actions of the UNSC members in a humanitarian crisis were dependent on to what extent their intervention was related with their national interests. In order to examine whether this behavior changed with the R2P doctrine, it is significant to summarize the reaction of the UNSC permanent members in each case.

Rwanda case was one of the most dramatic disappointments for the solidarist linkages of the international community. While the Hutu extremists were murdering thousands of Tutsis, the UNSC was not preoccupied with stopping the ethnic cleansing in Rwanda. Even though the UNSC deployed UNAMIR forces in Rwanda, they were not effective in stopping the killings due to their limited ‘monitoring’ mandate. The attitudes of the UNSC permanent members in this case shows that the national and strategic interests of the states were superior than the humanitarian concerns as they were reluctant to deal with a crisis that occurred thousand miles away from their own countries. The norms of non-intervention and sovereignty were the reference points of the UNSC members as they sought to cover their unwillingness to get involved in the Rwandan crisis. The UNSC permanent members, who had executive power to deal with the peace and war in the international arena, condemned the violence and conveyed their condolences to the

Rwandan people during the crisis. Even the establishment of SHAs was the result of the pressures of NGOs, but they failed to save people in these areas. When we look at the behavior of the permanent members of the UNSC, we can see this lack of political will more clearly. The US publicly expressed that the US had no important interest in Rwanda, refusing to send its soldiers to every conflict in the world. Thus, the US was one of the most willing countries about the withdrawal of the UNAMIR from Rwanda. Four years after the mass atrocity was over, the Clinton administration admitted its failure when he apologized for not having been active in the Rwandan crisis. Like the US, the United Kingdom was also reluctant to get involved in the crisis, since the British government did not see any clear mission for the British soldiers and it admitted that the Britain had no clear interest in stopping the genocide in Rwanda. In contrast to the US and the UK, France was more willing to send troops to Rwanda with its decision of the French Operation of Turquoise. While the French government justified its action in Rwanda by invoking its moral duty to stop the barbarity there, there has been wide agreement that France actually attempted to prevent the English-speaking Hutus to gain power in Rwanda and restore its international status, which was reduced with the end of the Cold War. As for Russia, the inaction in Rwanda was in favor of its traditional policy based on the norm of non-intervention. On the other hand, Russia, by not vetoing the French Operation of Turquoise, tried to adjust its policies to those of the Western states not to be economically and politically isolated in the post-Cold War period. Like Russia, China has been always sensitive about the international order based on the equal sovereignty of states, and it expressed its reservations about the French Operation of Turquoise arguing that it did not take the consent of all the parties in the conflict. However, its endeavor to be perceived as a responsible great power alongside with other UNSC permanent members made the Chinese government at that time cooperative with the Western states. Overall, it can be said that during the Rwandan crisis, the UNSC permanent members neither had any humanitarian impulse nor adopt a humanitarian language. This lack of interest made them stand by the Rwandan genocide for a long time and prevented them to halt the violence that killed millions of Rwandan people. In this regard, the Rwandan genocide demonstrated that there was no solidarism in the international community at that time; the national

interests of states defeated the humanitarian values when the lives of strangers were at stake.

The Bosnian conflict, which lasted for four years, also turned out to be a frustration for those who expected the UNSC to take timely action for saving the Bosnians. Even though there were several diplomatic efforts of the UN, the most serious action to stop the violence only came four years after the conflict began in Bosnia. The UNSC members generally justified their reluctance to get involved in the Bosnian conflict by using a discourse that pointed to its complexity and the impossibility of overcoming it. The deployment of UNPROFOR did not solve the problem in Bosnia due to its limited monitoring mandate as in the case of Rwanda. Despite the indifferent discourses of the UNSC permanent members during the initial years of the conflict, the intensification of violence, the international media coverage and the increasing pressure of the non-governmental organizations on the UNSC compelled those members to change their rhetoric in favor of humanitarian intervention towards the final stage of the conflict. The US administration's behavior is aptly reflected in its statement "[w]e don't have a dog in that fight" that was expressed at the outset of the conflict,⁹¹⁰ and it repeatedly rejected to deploy ground troops in Bosnia. Only after the massacre in Sarajevo in 1994 and Srebrenica in 1995, the US became decisive to stop the Bosnian war, which was linked to its effort to restore its and NATO's image. The close relations of the UK with Serbia and its sensitivity about the stability of the Balkans prevented the British government from adopting an active foreign policy aimed at the protection of the Bosnian people. The Bosnian conflict was generally depicted as a domestic dispute that was impossible to solve from the outside. Moreover, the discourse of the British government also mirrored its non-interest in being a part of the Bosnian conflict since it was against to be involved in every humanitarian crisis. As in the case of the US, the international reports regarding the gravity of the situation in Bosnia helped change the attitude of Britain toward a possible humanitarian intervention. Even though the French administration did not give any public signal of supporting the military intervention in Bosnia, it took the lead in promoting the idea of establishing "safe havens" in Bosnia, which, however, turned out to be ineffective to protect the civilians. The

⁹¹⁰ Silber and Little, pp.29-30.

domestic developments within France itself and international pressures on the UNSC permanent members affected the attitude of France toward using more force in Bosnia in 1995. On the other hand, Russia attempted to reassert its international power and became diplomatically active throughout the Bosnian conflict. However, domestic pressure on the government put Russia into a difficult position in which it tried to balance both its interest in not being isolated from the Western states' decision and its traditional policy of non-intervention that was also supported by its public opinion. China was discontent about the international intervention in Bosnia due to its adherence to the norms of non-intervention and territorial integrity of states. The late military intervention annoyed the Chinese administration but it did not block the process due to the unanimity of other UNSC permanent members about the necessity of stopping the violence. Even though there was relative improvement in the attitudes of the UNSC permanent members in Bosnia in comparison to Rwanda, the late reaction of the UNSC cost the lives of thousands of Bosnian civilians. During the initial phases of the conflict, the UNSC permanent members focused on their own interest to stay out of the Bosnian crisis and did not invoke any humanitarian reason for protecting the Bosnian people. During the later stages of the conflict, their focal points were the European interests and the stability in the Balkans rather than their humanitarian impulses. Thus, as in the case of Rwanda, the international community still remained pluralist in the sense of prioritizing the national interest; even the intervention was realized in Bosnia, saving the Bosnians had secondary importance to maintaining the stability of the Balkans and Europe as a whole.

In contrast to the Rwandan and Bosnian crises, which caused the death of thousands of people before the eyes of the international community, the Kosovo crisis in 1999 was swiftly resolved without any UN authorization which was based on the humanitarian justifications of the Western states about the necessity of the military intervention in Kosovo. It has been generally claimed that even though the NATO action in Kosovo was legitimate, it was not legal, since the two permanent members of the UNSC, Russia and China, did not give their consent to it. It has been the most controversial intervention since it had no legal basis in UN Charter and it has been suspected that the international order was damaged due to that illegality. In

this case, the UNSC members (apart from Russia and China) adopted humanitarian reasons to justify their intervention in Kosovo in contrast to Rwanda and Bosnia. The US put forward both humanitarian and national interests to intervene in Kosovo, according to which the Kosovo crisis could have damaged the stability of the entire region where Albania and Macedonia as well as Greece and Turkey have been located. Furthermore, the US administration perceived that it had a moral duty to protect the Kosovan people from brutality. Having experienced the dramatic outcomes of indifference in Bosnia and considering the freedom and stability of Europe, the US administration took the lead in the Kosovo intervention. As for Britain, the government was so active in the Kosovo crisis that Prime Minister Blair's Chicago speech regarding the Kosovo intervention has come to be known as "the Blair Doctrine". In this speech, Blair focused on the humanitarian impulses and national interests of states that intervened in Kosovo. According to him, humanitarian values rather than the territorial interests were at stake in the Kosovo intervention. However, the real problem here is that similar humanitarian concerns were not expressed while thousands of people were killed in Rwanda and Bosnia. Thus, it has been claimed that the real motivation behind the active behavior of the UK government was its concern about the stability of Balkans and Europe, and its willingness to restructure the European Security and Defence Identity (ESDI). The French government also adopted both strategic and humanitarian rhetoric while dealing with Kosovo. On the one hand, the government pointed out France's responsibility to protect the Kosovan people, while, on the other hand, it stressed the possible refugee problem and instability in the region. Russia, due to its alliance with Serbia and its perception of threat from the NATO expansion toward its own territory, was opposed to military intervention in Kosovo. Throughout the conflict, it adopted the rhetoric of non-intervention arguing that the UN should not interfere in the internal affairs of Kosovo and should not violate the UN Charter. In alliance with Russia, China was also opposed to the idea of saving the Kosovan people via military intervention and criticized the NATO operation without the UNSC approval. The territorial integrity and sovereignty of Yugoslavia were again the focal points of China's rhetoric. As in the case of Russia, China was concerned about a future military intervention in its own internal affairs, with the Taiwan issue being a

particular concern in this regard. After the NATO strikes against Kosovo were over, all UNSC members warned that the Kosovo issue should be treated as exceptional and could not be a precedent for future military interventions without the UNSC approval. The Kosovo case in this sense is different from the other two cases regarding the rhetoric and actions of the UNSC. In this case, the US, the UK and France combined humanitarian values with their national interests to stop the brutality of Serbs in contrast to their passive behavior in the Rwandan and Bosnian conflicts. On the other hand, Russia and China were discontent with the illegality of NATO intervention and reemphasized the sacred principles of international politics such as non-intervention and sovereignty. Even though the UNSC members did not take timely action in the Rwandan and Bosnian crises, they did not wait for the unanimous approval of the UNSC for getting involved in Kosovo. In this case, there had been reasonable concerns as to a possible rise in the illegal interventions of NATO in the future, which would mean that powerful states could invade weaker ones with relative ease.

Following the Kosovo crisis, the ICISS decided to resolve the issue of humanitarian intervention through purifying and disentangling the aim of saving people from national interests and giving it a universal legal character. For this purpose, it changed the terminology of humanitarian intervention and turned into “responsibility to protect”. Such a move meant that even though the UNSC members did not have national interests at stake, they had a duty to protect people in other countries due to their common humanity. The focus of the doctrine is those who need humanitarian intervention rather than who intervene; thus, this doctrine presupposes that the members of international community are connected to each other with solidarist ties, and that there is the superiority of human rights over the states’ national interests. The new concept was unacceptable for the UNSC due to its criteria and its limits on the veto right of the UNSC permanent members. Therefore, the UN 2005 World Summit transformed it into what the SC permanent members agreed upon. Even though this version is different from the R2P of the ICISS, it still clearly indicates that the international community should take action against the cases that include crimes against humanity, genocide, ethnic cleansing and war crimes. The UNSC acknowledged that the international community has responsibility to take

action where the state fails to protect its own citizens from these crimes or where the offender of these crimes is the state itself. However, as the Libya and Syria cases show the adoption of the R2P as a protection clause in the UN does not seem to have changed dramatically the practices of the UNSC members. In this sense, there has been some contradiction between this doctrine and the practical policies of the UNSC members when they have been put to the test with serious humanitarian crises.

The Libya crisis was the first case that met with the military intervention of the UNSC after the adoption of the R2P doctrine. The UNSC invoked the R2P doctrine and adopted Resolution 1973, which gave authority to the UNSC “to take all necessary measures” against the Libyan regime. The US embraced the value-based approach and invoked the R2P doctrine by referring to the responsibility of Qadhafi regime to protect its citizens. The US administration also harmonized the national interests and humanitarian values for justification of the military intervention in Libya. The Obama administration mainly emphasized that even though the Qadhafi regime did not pose immediate threat for the US, stopping the massacre and preventing the conflict from spreading to other countries that have been on the way of democratic transitions, were responsibilities of the international community. However, it is also claimed that the desire of the US to take control of the oil sector of Libya, which was in the hands of unreliable Qadhafi regime made the US more willing to intervene to protect the Libyan people. Similarly, the UK government invoked the R2P doctrine to protect the Libyan people from the Qadhafi regime’s brutality as it emphasized the universal human rights of Libyan people. In order to justify the military intervention in Libya, the UK administration stressed the legality and necessity of the intervention for stopping the violence. Even though the Cameron government underscored the main objective of the intervention as protecting the people, the analyses showed that the Libya intervention was an opportunity for the government to increase its international prestige at home and abroad. Furthermore, the British Petroleum’s long-term interests could be realized under a democratic friendly government in smoother way. As one of the most active states in the intervention, France repeatedly made reference to the humanitarian values and duty of international community to halt the violence in Libya. As the starting point of the

R2P, the French government pointed out that the international community's "universal conscience" had to stop the massacre in Libya. It has been claimed that behind the French activism were the domestic and international calculations of Sarkozy government. Sarkozy attempted to gain popularity at home with his strong leadership. He was also discontent with the refugee problem of Libya while the French energy interests required the toppling down of the Qadhafi regime whose oil sector was dependent on the unreliable personal decisions of Qadhafi. In compatible with its previous policy, Russia was uncomfortable with the possibility of military intervention in Libya and repeatedly emphasized the importance of political solution in the crisis. As a surprise for those who have been advocates of the R2P doctrine, Russia's President Medvedev adopted a value-based approach in which he stated that the international community should stop the massacre in Libya. Russia's attitude was different from its previous policy regarding Kosovo since it did not veto Resolution 1973 that authorized the military intervention in Libya. However, Russia preserved its criticisms towards the NATO operation in Libya due to its perception that the operation exceeded the mandate of Resolution 1973. Russia was adversely affected by the military intervention in Libya, since its large economic deals with the Qadhafi regime came under risk; however, after the NATO operation, Russia did not want to take the risk of being hostile to the new government, which could generate new economic and political incentives for Russia. The R2P doctrine also did not lead to any change in China's behavior, even though it did not veto Resolution 1973. During the crisis, China did not adopt a humanitarian language; instead it emphasized the superiority of international order and stability. The reason of China's abstention from instead of vetoing Resolution 1973 has been seen as the African Union's and the Arab League's support to the resolution with which China had economic cooperation while China did not also want to isolate itself from this process. Overall, it can be said that some UNSC members had important incentives to intervene in Libya and justified their action by invoking the R2P doctrine. Their national interests that favored military intervention in Libya made them more willing to save the civilians, which caused the suspicion that they would hardly make an effort to stop the violence if they did not have any strategic interests for the regime change in Libya.

Thus, it would be so naïve to think that the R2P doctrine on its own paved the way for the Libyan intervention.

The long-lasting Syria war has revealed the failure of the R2P doctrine in the sense that the international community did not take any serious action to stop the Assad government's violent crackdown on the anti-government protesters. Following the implementation of the R2P with Resolution 1973 in Libya, and notwithstanding the criticisms concerning the exceeding of the mandate, there were expectations about the consolidation of the R2P as an international norm to stop the violence in Syria. The UN Secretary-General Ban ki-Moon emphasized that Syria "was a critical test of our will and capacity to implement the responsibility to protect."⁹¹¹ The UNSC attempted to condemn and threaten the Assad government with economic sanctions; however, it met with the vetoes of Russia and China. While thousands of people have been dying, the UNSC came to a deadlock and did not even take moderate measures. Apart from the opposition of China and Russia, it can be observed that there has been reluctance also among other UNSC permanent members to get involved in the Syrian war in contrast to their activism in Libya. Since the initial phases of the conflict, the US administration did not reveal any political will to intervene in Syria. Even though the Obama administration repeatedly warned the Assad regime and acknowledged the international community's moral duty to stop the violence in Syria, the national security interests of the administration outweighed the moral considerations. Washington did not want to get involved and also to drift the region into a state of chaos. Although the Syrian government has crossed the "red line" of the US by using chemical weapons, the US did not plan to take action against Syria apart from its planning to send armament to the opposition. It has been claimed that the US was concerned about the negative repercussions of a military intervention in Syria due to the Assad regime's political ties with Hezbollah, Hamas and Iran. Similarly, the activism of the UK government in Libya cannot be observed in the Syrian crisis. Since the initial phases of the crisis, the UK government was in favor of economic and diplomatic tools to stop the Assad regime, while it was also

⁹¹¹ "Responsibility to Protect faces urgent test 'here and now', Secretary-General tells General Assembly, stressing immense human cost of failure in Syria", **United Nations Secretary-General**, 05.09.2012, <http://www.un.org/News/Press/docs/2012/sgsm14490.doc.htm>, (13.08.2013).

willing to arm the opposition groups instead of getting directly involved. Despite its humanitarian rhetoric and diplomatic efforts, the Cameron government has remained reluctant to be part of the conflict that increasingly gained a sectarian character. France, similar to its active rhetoric in other cases, adopted a harsh rhetoric regarding the Syrian crisis and called for the UNSC to fulfill its responsibility in Syria. Moreover, as in the case of the US, France also threatened the Assad regime with taking severer action if it used chemical weapons against civilians. Even though there has been some evidence about the Assad regime's use of chemical weapons, the French government took a cautious position and waited for the international community to take action against the Syrian government. It has been claimed that France's active rhetoric and passive performance in Syria has been due to its will to increase its popularity at home and its concern that international intervention would spread Islamic extremism throughout the region. On the other hand, Russia, as a long-lasting ally of the Syrian regime, was opposed to any harsh action against Syria since the initial stages of the conflict. It opposed military intervention arguing that the ongoing conflict was internal affair of Syria and any military operation would further deteriorate the situation. Russia alongside with China vetoed even the modest UNSC resolutions regarding Syria and always emphasized political solutions. Due to the alleged exceeding of the UNSC mandate by NATO in its Libya operation, Russia expressed his reservations to the UNSC resolutions on Syria. Instead of adopting a humanitarian approach towards the civilians in Syria, the Russian administration repeatedly mentioned about the importance of Syria for the stability in the Middle East and for the prevention of the rise of Islamic extremism in the region. In this sense it expressed his concerns about the use of R2P doctrine for intervening into the internal affairs of sovereign states. In line with Russia's position, China vetoed the UNSC resolutions that condemned and threatened the Syrian regime with sanctions. China did not want to see the repetition of a Libya-like military intervention in Syria and instead suggested political solutions. As in the other cases, China repeated its commitment to the international order based on the territorial integrity of sovereign states, which could be damaged by any military intervention. In terms of China's national interests, it has been argued that China has been concerned about the increasing control of the US in the Middle East where China had oil interests as well

as about the potential rise of Islamic extremism in its own territory where Muslim communities lived. In conclusion, it has been claimed that the Syrian case has demonstrated the failure of the R2P doctrine; the theory could not be put into practice. Even though the UNSC intervened in the Libya crisis by invoking the R2P, they could not show the same determination in the Syrian crisis, which still lasts. Although the death toll in Syria exceeded by far the death toll in Libya, the UNSC could not take any severe measures against the Syrian regime. Therefore it can be argued that if the national interests of the UNSC permanent members cannot be furthered and/or can be harmed by military intervention, they do not take any determined action against the governments that commit crimes against humanity.

Overall, these four cases show that there has been selectivity in the intervention preferences of the UNSC permanent members. Even though the governments in question committed crimes against humanity by using disproportionate use of force against the civilians, the reactions of the UNSC was not identical in each case, which demonstrates the absence of consensus on the universal standards for humanitarian intervention. While the UNSC did not take timely action in Bosnia, Rwanda and Syria, the same UNSC did not hesitate to use force in Kosovo and Libya for protecting civilians. This selectivity of the UNSC can be explained by the argument that in cases where the UNSC permanent members have incentives to intervene, they become more willing to adopt a humanitarian discourse and protect people. If they are concerned about the possible negative outcomes of the intervention for their geopolitical interests, then they talk about the complexity and difficulty of the intervention and emphasize the importance of non-intervention principle.

The efforts of the ICISS to standardize humanitarian intervention and guarantee the protection of people from mass atrocities have been blocked by the political initiatives of the UNSC permanent members. Actually, Paragraphs 138 and 139 of the Summit Outcome Document clearly explain the extent of the R2P as a doctrine seeking to stop four crimes, which are genocide, war crimes, ethnic cleansing and crimes against humanity. In this sense, the aim of the Summit Outcome Document has been to minimize the misinterpretations of the R2P about the crimes it was assumed to

address.⁹¹² However, even though the R2P has been adopted by the UNSC at the 2005 World Summit, the Syrian case has demonstrated that there have been different interpretations of the R2P among the UNSC permanent members, which brought the UNSC to a deadlock. Thus, one of the most important challenges to the R2P framework is the deficiency of political will of the UNSC permanent members. The ICISS had foreseen and warned that “unless the political will can be mustered to act when action is called for, the debate about intervention for human protection purposes will largely be academic.”⁹¹³

From the perspective of international law, the R2P doctrine and its practice have not been legislative in contrast to Chapter VII or an international agreement.⁹¹⁴ Since it was written as a “protection clause” in the 2005 World Summit Outcome, its consolidation is dependent on the UNSC permanent members whose practices may constitute customary international law. The R2P doctrine cannot also be regarded as *opinio juris vel necessitates*-an opinion of law or necessity”; it can gain normative power only with its use in both rhetoric and actions of the nation-states.⁹¹⁵ The UN Charter and is not a fixed constitution and is open to amendments; yet, this does not reflect anything unless the UN members can put into practice what has been written there. As in the case of the UN Charter, “the protection clause” that has been written in the World Summit Outcome in 2005 also does not refer to anything but the political initiatives of the member states. Thus, the R2P doctrine continues to evolve with the practices of states; it is impossible to think about it independently from state practice. However, there are ongoing debates about the effectiveness and compatibility of the doctrine with the international law in which the non-intervention principle is blessed. As it can be observed from the behavior of Russia and China in humanitarian crises, these two great powers along with other BRICS countries (Brazil, Russia, India, China and South Africa) have been generally concerned about the preservation of international order and possible adverse affects of the R2P doctrine on it. Thus, Brazil proposed the concept of “responsibility while protecting (RWP)”, which stresses the importance of

⁹¹² Badescu, p. 146.

⁹¹³ International Commission on Intervention and State Sovereignty, p.70

⁹¹⁴ Michael Doyle, “ International Ethics and the Responsibility to Protect”, **International Studies Review**, Vol.13, No.1, 2011, p. 82.

⁹¹⁵ Doyle, p. 83

sovereignty of states and underlines that the R2P can be implemented only in situations that constitute threat to international peace and security. Most importantly, the states that intervene in another state should be accountable for their actions' negative impact on the crises in question.⁹¹⁶ This proposal and its welcome by some UN members is another proof of the failure of the R2P doctrine in generating unanimous support among UN members.

As a conclusion it can be said that even though the UNSC permanent members adopted the R2P doctrine in theory, they did not transform it into political practices particularly when the doctrine turned out to be incompatible with their national interests. The adoption of a humanitarian rhetoric involving the R2P doctrine performs a legitimizing function (both domestic and international) for the international position of the UNSC member states that are willing to be perceived as the responsible great powers. Actually, "saving strangers"⁹¹⁷ is not a foreign policy priority of the nation-states in our pluralist world politics in which there is still the monopoly of non-intervention principle for protecting the sovereignty of states. The cosmopolitan world that was envisioned by Kant and Habermas has still not come into existence due to the deep-seated international order that has been based on state survival. Even though the international community has taken some steps towards solidarism in theory, the practices of the nation states in world politics is not compatible with the solidarism put forward by the English School, which envisages cooperation and collaboration among the members of international community in the face of gross violation of human rights.

⁹¹⁶ "Letter dated 9 November 2011 from the Permanent Representative of Brazil to the United Nations addressed to the Secretary-General", **United Nations General Assembly**, 11.11.2011, <http://www.un.int/brazil/speech/Concept-Paper-%20RwP.pdf>, (13.08.2013).

⁹¹⁷ It is the Nicholas J. Wheeler's term in his book, **Saving Strangers: Humanitarian Intervention in International Society**, Oxford University Press, New York, 2000.

Table 1. Permanent Five and Humanitarian Crises: Pre-R2P Period

UNSC Permanent Members	Rwanda (1994) (Almost)No Intervention	Bosnia (1992-1995) Late intervention	Kosovo (1999) Illegal Intervention
The United States	No vital interest in Rwanda Reluctance to intervene	No willingness to be involved in the Bosnian war Discourse on the complexity of the crisis	Justification for the NATO operation Revelation of national interests
The United Kingdom	No clear mission in Rwanda Reluctance to intervene	Perception and representation of the Bosnian war as a complicated internal dispute	The Blair Doctrine Humanitarian and strategic justifications
France	Controversial French Operation Turquoise	Diplomatically active while reluctant to intervene	Discourse on the French responsibility to take part in the NATO operation
Russian Federation	Conforming to the policies of Western states	Opposition to military intervention Alliance with Serbia	Opposition to the NATO operation Perception of it as a threat
China	Traditional discourse on the privileged principles of state sovereignty and non-intervention	Sensitivity about the territorial integrity of the FRY	Perception of the NATO operation as a violation of the UN Charter

Table 2. Permanent Five and Humanitarian Crises: Post-R2P Period

UNSC Permanent Members	Libya (2011) UNSC Military Action	Syria (2011-still ongoing) No UNSC Action
The United States	Discourse on the universal human rights of the Libyan people Discourse on the US national interests	No planning of military intervention in Syria Discourse on the complexity of the crisis
The United Kingdom	Invoking the “responsibility to protect” Discourse on the legality and necessity of the intervention	Reluctance to get involved in the crisis Support for economic and diplomatic sanctions
France	Invoking the “responsibility to protect” Discourse on France’s national and moral interests	Support for economic and diplomatic sanctions Attempt to assist opposition groups while reluctant to get involved
Russian Federation	Support for political means and critical of the NATO operation	Support for political dialogue Opposition to any military intervention
China	Criticizing the use of force Emphasis on its traditional principles	Support for diplomatic means Sensitivity about the Syrian territorial integrity

CONCLUSION

Humanitarian intervention is a controversial subject of international politics that maintains its popularity among the international public, as the circumstances requiring as well as questioning it have never come to an end. It has led to endless debates, which have been shaped by the different moral positions of the participants. The idea of the “Responsibility to Protect” has been put forward by some academics and politicians with a view to resolving the problems and dilemmas associated with humanitarian intervention in the post-Cold War era. This thesis has tried to contribute to this contemporary debate by analyzing whether the R2P doctrine has brought any difference to the acts and rhetoric of the UNSC permanent members that have decision-making authority regarding the issues that are related to international peace and security. To that end, it has analyzed the behavior of the Permanent Five with regard to both the pre-R2P cases (Rwanda, Bosnia, and Kosovo) and the post-R2P cases (Libya and Syria). The analysis of five humanitarian crises in different time and space of the world shows that the R2P doctrine did not meet the expectation of those who were hopeful that it would make the international community more solidarist. As the ethical philosopher, Tzvetan Todorov stated “individual human beings still get much more as citizens of a state than they do as citizens of the world”,⁹¹⁸ because almost no country has been willing to take the risk of losing their own soldiers for the sake of protecting the citizens of other states.

The supporters of the R2P argue that evaluating the R2P by only focusing on the military intervention pillar cannot give an idea about the effectiveness of the doctrine, since it also includes extensive tools for resolving conflict such as prevention and post-conflict building strategies. While this is a reasonable argument, the current conflicts in Libya and Syria show that these strategies of the R2P have not been influential for ceasing the civil wars: the internal violence in Libya could be stopped only by using force and the conflict in Syria has not been under control yet, and the diplomatic tools of the UNSC have been inconclusive until now. However, seeking to comprehend the ability of the R2P doctrine in resolving the extreme cases, this thesis restricts itself to the most outstanding humanitarian cases that required the

⁹¹⁸ Welsh, p. 53.

use of force as the last resort due to the failure of the diplomatic and economic sanctions to halt the violence in the countries at stake. One could also argue that military intervention cannot be the criterion for evaluating the success of the R2P since it increases casualties in any case due to its violent nature. From the deontological point of view, this argument is partly correct since the air strikes of the NATO operations cannot always discriminate combatants from noncombatants as happened in the cases of Kosovo and Libya. Furthermore, the military intervention of the UNSC, where it materialized, did not bring the best solution due to the inadequacy of the post-conflict building mechanisms of the United Nations. However, in a world where there have been recurrent bloody conflicts, standing idly by the violent incidents in order not to increase the scale of the conflict is not an optimal solution as in the case of Rwanda. What is required instead is to make the existing institutions more effective and humane in order to overcome the threats toward civilians; one can start with reforming the United Nations itself. The internal reforms of the UN are significant since the United Nations is an institution that has been the domain for collective action and the representative of international society. However, the majority of its members, which constitute approximately the two-thirds of the United Nations, have been critical about the UN's operating mechanism. The privileged position of the UNSC members in dealing with the issues that require military intervention has been regarded as unfair and unjust among the UN members and reminds the North-South divide in international politics. The important thing is to develop mechanisms that allow the UN member states to have more voice in the decision-making mechanism of the UNSC with respect to sensitive international issues.⁹¹⁹

In order to have deterrence vis-à-vis the human rights-violating and abusive governments, the UN requires more legal rules and conventions that have wide support among the international community. The conflict prevention mechanism is also likely to be more effective to prevent violence than making military intervention in a country that has already become a battlefield. As Andrew Hurrell states, “[t]he degree to which international society is affected morally and practically by

⁹¹⁹ For instance see Gareth Evans, “Responsibility While Protecting”, **Project Syndicate**, 27.01.2012, <http://www.project-syndicate.org/commentary/responsibility-while-protecting>, (12.08.2013).

humanitarian catastrophe means that we need new rules on humanitarian intervention”.⁹²⁰ Thus, universally binding norms that make humanitarian intervention more standardized and more deterrent for tyrant states are urgently needed. There has been ongoing bloody conflict in Syria and the repetition of this kind of savagery in other countries is only a matter of time. However, authoritative and competent interventions based on universal, legitimate norms can be only possible by the political will of states to ‘save strangers’ in other countries that are distant in both geographical and geopolitical terms.

Reforming the international law in favor of more humane and effective rules is a troublesome issue since the sovereignty principle and national interests have been championed in international politics in a manner perpetuating its self-help character. The R2P doctrine of the ICISS has had cosmopolitan connotations with its commitment to universal human rights; however, its implementation in the real politics has become controversial and problematic since the geopolitical decisions of the Permanent Five have been involved even in the most urgent cases that require well-designed intervention. The struggle for creating global empathy for human suffering is a tedious task that is encircled with the barriers of messy politics. However, it is worth to make further research to contribute to the efforts of resolving the problematic aspects of humanitarian intervention for the sake of our common humanity.

⁹²⁰ Andrew Hurrell, “Legitimacy and the use of force: can the circle be squared?”, **Force and Legitimacy in World Politics**, eds. David Armstrong, Theo Farrell and Bice Maiguascha, Cambridge University Press, Cambridge, 2005, p. 30.

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