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Facultat de Ciències Polítiques i Sociologia

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Responsibility to Protect in 2011: The cases of Côte d'Ivoire and Libya

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Bachelor's Thesis

“Responsibility to Protect in 2011: The cases of Côte d’Ivoire and Libya”

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List of Abbreviations

AU	African Union
DDR	Disarmament, Demobilisation and Reintegration
ECOWAS	Economic Community of West African States
ICC	International Criminal Court
ICISS	International Committee on Intervention and State Sovereignty
R2P	Responsibility to Protect
UN	United Nations
UNOCI	United Nations Operation in Côte d'Ivoire
UNSC	United Nations Security Council
UNSG	United Nations Secretary-General

Abstract

This Bachelor's thesis, titled "Responsibility to Protect in 2011: The cases of Côte d'Ivoire and Libya", studies the interventions made by the United Nations in 2011 in both countries in relation to the Responsibility to Protect global commitment. The main objective is to examine if the interventions focused solely on the third pillar of Responsibility to Protect, which states that if a country has manifestly failed in protecting its populations from the four mass atrocity crimes, the international community has the right to intervene, or if it also focused on the previous conflict prevention and peacebuilding-based pillars. Moreover, this study also wants to observe what was the general opinion of non-Western countries during the emergence of the commitment, as well as the level of unanimity in its 2011 applications.

To answer the main research question, an empirical analysis has been conducted using two comprehensive tables by a 2013 report by The Budapest Centre for the International Prevention of Genocide and Mass Atrocities Task Force, in which long-term and direct prevention of mass atrocities are divided into goals and tools in order to serve as a guide for the actions to be taken by the international community. Therefore, a selection for both conflicts of United Nations Security Council resolutions have been chosen to submit to both tables. Finally, in the conclusions section, the results are examined, and they confirm the initial hypotheses formulated: for both conflicts, the UN focused on the military and interventionist aspect of Responsibility to Protect, but did not make enough peacebuilding efforts neither in Côte d'Ivoire or Libya. Moreover, in the norm emergence state of Responsibility to Protect, non-Western countries were not as sold on the idea as Western states, which were the norm entrepreneurs, following a liberal peace approach. Finally, although in Côte d'Ivoire's case there was unanimity in intervening in the conflict, countries were confused as to how to intervene. In Libya's case, there was no unanimity found in the Security Council.

Key words: Responsibility to Protect Côte d'Ivoire Libya
liberal peace humanitarian intervention mass atrocities
conflict prevention

1. Introduction

Interventionism in the name of human crisis gained traction after a tumultuous decade of inter-state conflicts and major civil wars. The 1990's disasters in Somalia, Rwanda, and Bosnia sparked new debates and conversations that had previously been almost taboo due to the international system's realist and anarchist nature. New proposals and reports on the responsibility to prevent mass atrocities followed suit, but it was not until the 2005 United Nations (UN) World Summit that states were forced to confront the idea, thus acknowledging the existence of a term coined in 2001 by the International Committee on Intervention and State Sovereignty (ICISS): Responsibility to Protect (R2P). This global commitment, which is often associated with liberal peace and Western interventionism, remains controversial decades later (Newman, 2013, p. 236).

Nonetheless, this dissertation aims to offer an objective perspective on its emergence and two of its first uses by the UN: the Second Ivorian Civil War, and the First Libyan Civil War. By doing that, it also wants to serve as a kick-off for an academic debate surrounding the initial objectives of R2P while recognizing possible errors in its implementation in the two conflicts, and what the relevant actors have had to say about it. Thus, the methodology employed has qualitative and inductive characteristics, as by studying both the interventions related to R2P in Côte d'Ivoire and Libya, it wants to compare the original R2P tenets, as promoted by the UN agencies and actors, versus the actual actions taken and pursued in the chosen case studies.

Therefore, the main research question is: Were the interventions made in 2011 in Côte d'Ivoire and Libya in line with the original R2P accounts promoted by the UN and its agencies?

Moreover, subsidiary questions to be answered are: What opinions did relevant state and non-state actors have when the R2P emerged? Was there unanimity in its 2011 application?

The main hypothesis is that the interventions both in Côte d'Ivoire and Libya were a military-based interpretation of the UN R2P mandates, thus conflict prevention and peacebuilding efforts were not made or pursued enough.

The first subsidiary hypothesis is that the opinion of Western powers and organisations goes in line with the liberal peace consensus, while developing countries and their

intergovernmental organisations were always afraid that the R2P commitment would turn into a way for the West to justify military intervention as it pleases. The second subsidiary hypothesis is that there was no unanimity and global consensus on the application of R2P in Côte d'Ivoire and Libya, which is key for the norm to begin its cascading process and eventual internalisation.

This empirical study begins with an overview of a few key concepts such as liberal peace and R2P, and then offers some context on other coexisting points of view. It then explains the framework of analysis, the theory used to tackle the thesis, constructivism, and how R2P has been operationalised in this study. Then, the analysis of a representative sample of the UN Security Council (UNSC) resolutions for both conflicts is conducted. Finally, conclusions are presented, which will discuss the findings of the analysis, answer the research questions, and provide a global assessment of the thesis.

The time scope of the study goes from 2005, when the World Summit Outcome Document first defined and tried to systematically formulate the R2P doctrine, until 2011, when the interventions of Côte d'Ivoire and Libya took place.

2. Key Concepts and Context

2.1. Liberal Peace Consensus

Liberal peace is a multidisciplinary and all-encompassing concept and approach. It is often defined as a discourse, framework, and structure that works at the social and state level, as well as being promoted by western countries to reach peace in post-conflict societies (Pereira, 2019, p. 429). Interventions often involve democratisation, economic liberalisation, neoliberalism, human rights, and the rule of law (Richmond, 2006a, p. 75).

Oliver P. Richmond argued that “liberal peace is created through the methodologies associated with a ‘peacebuilding consensus’, where like-minded liberal states coexist in a western-oriented International society and states are characterised by democracy, human rights, free markets, development, a vibrant civil society and multilateralism” (2006b, p. 298). However, this western-advocated approach is often criticised, as peacebuilding military interventions often destroy the natural and local ecosystem of institutions, recreating the top-down method of imposing peace, putting the focus mainly on the state, and damaging the grassroots efforts in the process.

2.2. R2P

The R2P commitment is often paired with the liberal peace approach (Glover, 2011; Mabera & Spies, 2016; Özdemir, 2017; Richmond, 2006b). R2P was adopted in the UN World Summit Outcome Document of 2005, after being first coined in 2001 by the ICISS. In the World Summit Outcome Document, the main characteristics of R2P were articulated in paragraph 138, which manifests that each state has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. Therefore, the international community should encourage and help States exercise this responsibility and support the UN in establishing early warning capabilities. In paragraph 139, more responsibilities are mentioned, such as using appropriate diplomatic, humanitarian, and peaceful means to protect populations from the crimes aforementioned, and that collective action coming from the UNSC could be taken if national authorities clearly fail in protecting their populations (ICISS, 2001).

More endorsements of R2P came in 2006, found in UNSC resolution 1674, which focused on the protection of civilians in armed conflict, and UNSC resolution 1706, which referenced the Darfur crisis, reaffirming the language and suggesting institutional support for R2P (Foot, 2011, p. 51)

Moreover, the R2P commitment has three pillars of responsibility, established in the report by the UN Secretary-General (UNSG) Ban Ki-Moon “Implementing the Responsibility to Protect” (2009). In Pillar One, it is said that every state has the responsibility to protect its populations from four mass atrocity crimes: genocide, war crimes, crimes against humanity and ethnic cleansing. In Pillar Two, the R2P stipulates that the wider international community has the responsibility to encourage and assist individual states in meeting that responsibility. Finally, in Pillar Three, it is convened that if a state is manifestly failing to protect its populations, the international community must be prepared to take appropriate collective action, in a timely and decisive manner and in accordance with the UN Charter (Global Centre for the R2P, n.d.).

2.3. Non-Western View of R2P

Although R2P has often been referred to as the forefront of liberalism, prominent African scholars and academics were the first to contribute to the discourse. Both UNSGs Boutros Boutros-Ghali and Kofi Annan put human security at the core of their

agendas, and it was Sudanese diplomat Francis Deng who linked sovereignty and responsibility in one of his articles in 1995, in a pioneering move that would later evolve into R2P (Mabera & Spies, 2016, p. 4).

In the 2005 World Summit, which would end up producing the report that first systematised R2P, there was a division of opinions. The R2P was included in the Outcome Document, but for most delegations, it was not the most important measure adopted. Brazil was against the idea of another body authorising the use of force outside the Security Council, China and Russia reiterated that the responsibility to protect should remain a national affair, and India, an emerging country, was concerned that the R2P would turn into an excuse for West interventionism (Rotmann *et al*, 2014, p. 365).

As for the rest of Africa, original feelings were kind of positive. After the humanitarian disasters of Uganda, Somalia, and Rwanda, African countries despised indifference more than intervention, and this became evident in the African Union (AU) Constitutive Act of 2000, specifically in Article 4, where the organisation states that the AU has the right to intervene, with previous authorisation of the Assembly, in a Member State where the following acts are being committed: war crimes, genocide, and crimes against humanity (Murithi, 2007, p. 16-18). Therefore, R2P had already been engraved into the core of the AU for five years prior to the 2005 World Summit.

3. Analytical Framework of Analysis

3.1. Theoretical Perspective

R2P is a very criticised and studied concept. The level of ambiguity found in its definition, aim, and scope has been a subject of analysis since it first appeared (Wolf, 2012; De Franco & Meyer, 2015). In fact, there are even disagreements on the nature of R2P: many authors refer to it as an emerging norm (De Franco & Meyer, 2015, p. 995), yet some prefer to call it a principle (Bellamy, 2012, p.11). For practical purposes, this study will consider that R2P is a norm, or, at least, it was conceived to be.

Therefore, this thesis is based on a constructivist approach. Constructivism appeared in the context of the crisis between positivism and realism, although its origins are rooted in Immanuel Kant's synthesis of rationalism and empiricism, where the philosopher argued that the subject does not have direct access to external reality, instead, it can only develop knowledge using cognitive principles to organise its experience (Jackson *et al*,

2019). The constructivist theory is based on discovery, investigation, and experimentation, and in the international relations field, knowledge is formed through contact with international agents. Social constructivism's most prominent author is Alexander Wendt, who, in 1992, published the article "Anarchy is What States Make of It: The Social Construction of Power Politics", in the peer-reviewed journal *International Organization*. In it, Wendt (1992) argued that reality is socially constructed, challenging the pessimist and anarchist innate and nature-like definition of the international system and its relations assumed by neorealists and neoliberals.

Therefore, international relations can change and *will* change, as the material world does not independently exist aside from human perception and cognition. Human agency is key in international relations, as is the power to manoeuvre (Theys, 2018).

Going back to R2P, its changing nature is seen in norm evolution, as constructivists Martha Finnemore and Kathryn Sikkink described in their widely recognised paper "International Norm Dynamics and Political Change", where they identified three stages of norm influence - a norm's "life cycle": norm emergence, norm cascade, and norm internalisation (1998, p. 887-917).

3.2. Operationalising R2P

The official, UN-endorsed, operationalisation of the R2P is still nowhere to be found (Krishnan, 2020, p. 129). However, other scholars have tried to classify measures often found in conflict prevention. The Budapest Centre for the International Prevention of Genocide and Mass Atrocities Task Force elaborated two comprehensive tables in 2013 on the prevention of mass atrocities. In the first one, it identified the policy goals for the long-term prevention of mass atrocities, dividing the actions by their nature: political, socioeconomic, legal, and military. In the second table, the actions related to direct prevention are also divided by nature, as well as by their intent or character: positive, more intrusive, and negative measures.

These two tools have been chosen to conceptualise the actions taken in the Côte d'Ivoire and Libya conflicts, as well as assess, in a clear and unbiased manner, if the UN and the UNSC took the necessary preventive measures as stipulated in the 2005 World Summit Outcome Document and reaffirmed in the UNSC Resolution 1674.

Firstly, it is important to determine which UN documents will be utilised to objectively assess the measures taken in both Côte d'Ivoire and Libya.

For starters, the base documents are the UNSC Resolution 1674, which recalls the measures decided in the 2005 World Summit Outcome Document and builds on the responsibility to protect preventive actions and outlines that if necessary, further steps will be taken to stop atrocities from happening, and the report by UNSG Ban Ki-Moon “Implementing the responsibility to protect”, which establishes the three pillars of R2P and clarifies the principles on which it was built on.

Following those two documents, resolutions for each selected conflict will be subject to analysis. For Côte d’Ivoire, the chosen UNSC resolutions are: 1464, 1479, 1528, 1609, 1633, 1721, 1946, 1951, 1967 and 1975. These resolutions have been selected as being the most significant to observe the escalation of the conflict, and the first six will be studied following *Table 1: Long-term Prevention of Mass Atrocities*, while the last four will be examined according to *Table 2: Direct Prevention of Mass Atrocities*.

Libya’s case is a bit different, as due to the nature of the conflict escalation, which was quicker and more unexpected by the international community (Bellamy & Williams, 2011), two resolutions will be examined: UNSC resolutions 1970 and 1973. Therefore, they will both be subjected to *Table 2: Direct Prevention of Mass Atrocities*, as they were issued once the conflict had erupted.

Table 1. Long-term Prevention of Mass Atrocities: Policy Goals.

Political	Economic/Social	Legal	Military
Good governance	Economic inequalities reduced, particularly to ensure that some groups are not marginalised	Rule of law enforced (to counter discrimination against particular groups), and corruption tackled	Disarmament (including controlling militia)
Protection of human rights (including minority rights)	Economic opportunities improved (especially for youth), through sustainable economic development/ growth	Independent judiciaries/ fair justice system (to counter discrimination against particular groups)	Reintegration of soldiers/ militia into civilian society
Indigenous conflict resolution capacity, community peace-building capacity, including capacity to respond to warning signs of mass atrocities	Education for tolerance	Domestic accountability/ address impunity (including criminal prosecution, truth and reconciliation processes)	Security sector reform (including civilian governance)
Democracy - including the diffusion of power	Openness to trade (foster interdependence)	Ratification of ICC	Restraints on weaponry/ small arms and light weapons control
Fair constitutional structures			Confidence-building measures
Press freedom, but action against incitement/hate speech			
Exclusionist ideology is marginalised			
Membership in international organisations (foster interdependence and socialisation)			

Task Force on EU Prevention of Mass Atrocities (2013, p.51).

Table 2. Direct Prevention of Mass Atrocities: A Continuum of Policy Tools.

	Political	Economic/Social	Legal	Military
Positive/ incentives	Friends groups	Economic inducements including trade and aid incentives		Incentives including military aid
	Provide financial and technical support for indigenous early-warning/response systems and conflict resolution by NGOs, local communities and/or business			
	Political incentives: diplomatic recognition; structured dialogue; membership in international organisations			
More intrusive measures	Diplomatic peace-making, including: ambassadors on the ground, use of eminent persons/envoys; good offices/ mediation; track 2 unofficial dialogue; arbitration; peace commissions			Preventive deployment
	Fact-finding missions and the systematic collection of data by embassies on the ground			Prevention of incitement (e.g. jamming radios)
	Human rights investigations			Safe havens and no-fly zones
Negative/ sanctions	Travel bans	Asset restrictions	Threat of or referral to ICC	Arms embargoes
	Diplomatic sanctions	Trade embargoes and other trade sanctions (e.g. banning of trade in particular products)		Threat of military force
		Economic sanctions including aid suspension or redirection		Sanctions including reduction in military aid

Task Force on EU Prevention of Mass Atrocities (2013, p.53).

4. Study Cases

4.1. Côte d'Ivoire

Côte d'Ivoire was first a French protectorate and then a colony, and it became an independent country in 1960, with Félix Houphouët Boigny as the first president. Even after its independence, the country maintained close relations with France, but its regime suffered various mishaps: a coup d'état in 1999, a civil war between 2002 and 2007, and another civil war in 2010 that ended in 2011. In this case, the R2P debate in Côte d'Ivoire involves this last one.

Following the Ivorian presidential elections of 2010 (which had been postponed since 2005), the preliminary results showed that President Laurent Gbagbo had lost to opposition leader Alassane Ouattara, who had been a former prime minister (Bassey, 2011). Yet, the verdict from the Constitutional Council, avid supporters of Gbagbo, ruled that he was the true winner of the presidential elections, while on the other hand, Ouattara was recognized as a winner and the new president by most countries and the UN (BBC, 2010). While two simultaneous inaugurations took place, a fear of another civil war was instilled in the Ivorian population.

After months of altercations and disputes, the civil war officially started in March 2011, when the governmental crisis turned into a military conflict, following Ouattara's seizing of the northern part of the country supported by UN forces (BBC, 2011). Although Gbagbo ordered UN peacekeepers to leave Côte d'Ivoire in December 2010, the UN stayed in the country and extended its mission, the UN Operation in Côte d'Ivoire (UNOCI), which was established during the First Ivorian Civil War (Al Jazeera, 2010). When the violence escalated due to a shelling attack on 18 March, the UN issued a statement in which it described a recent incident as a crime against humanity (BBC, 2011).

Later that month, the UN spoke up again, via UNSC resolution 1975, which urged all parties to respect the will of the people and the election of Alassane Ouattara as the official president, recognised by the Economic Community of West African States (ECOWAS), the AU, and the rest of the international community. Moreover, it

expressed that the UNOCI could use all measures to protect civilians under imminent threat of attack, as well as demanded for Gbagbo to step down as the Ivorian president, and imposed sanctions on him and his close allies.

UN peacekeepers were also hands-on inland, as they took control of Abidjan's airport by the end of March 2011 (Coulibaly & Cocks, 2011). In April, the situation continued to escalate: non-military personnel from the UN were evacuated from the country, and there was an offensive led by the UN and the French military. This offensive was mainly the UN firing at pro-Gbagbo camps (BBC, 2011), and was met with some neutral criticism, although UNSG Ban Ki-moon defended the actions arguing self-defence and the necessity to protect civilians (BBC, 2011). After the loss of most of his associates, Gbagbo started negotiating a defeat, yet the war finally came to an end on 11 April, when Ouattara's forces entered the presidential palace and arrested Gbagbo with the assistance of French forces.

4.1.1. Examining UN's Actions in Côte d'Ivoire

Following the summary of the Ivorian War, the selected UNSC resolutions will be examined following the aforementioned criteria.

Starting with the political long-term policy goals, these were mostly covered by resolutions 1464, 1479, 1528, 1609, 1633, and 1721. Good governance was not highlighted as much, with only resolution 1721 alluding to it in paragraphs 7 and 8, when the tasks and missions of the future Ivorian Prime Minister are discussed, as well as the powers that they should have according to the AU's Peace and Security Council. The second goal, the protection of human rights, is constantly discussed in all resolutions, which dedicate a paragraph to highlighting grave violations of human rights in Côte d'Ivoire, and in particular, resolutions 1479, 1528, and 1609 put emphasis on the protection of women and children's rights. As for the third policy goal, indigenous conflict resolution capacity, community peace-building capacity, and capacity to respond to the warning of signs of mass atrocities, these are not explicitly discussed in any of the selected resolutions. The fourth goal, to promote democracy and the diffusion of power, is discussed in resolutions 1528 (paragraphs l and m), 1609 (paragraphs p and q), and 1633 (paragraphs 4 to 13). Moving on, the fifth goal, the building of fair constitutional structures is mentioned in resolutions 1464, 1479, 1609, and 1621, alluding to the Linas-Marcoussis Agreement, which was meant to create a Government of National Reconciliation, and also mentioning the need to ensure transparent elections

and a fair justice system. In regard to goal number six, related to press freedom and the persecution of hate speech, this is highlighted in resolutions 1609 (paragraph v), 1633 (paragraph 16), and 1721, which tie in with the next goal, to have exclusionist ideology marginalised. Both goals are targeted in paragraph 19 of resolution 1721. The last political goal, which is related to international organisation membership, is not explicitly mentioned in any of the selected resolutions, perhaps due to the meta nature of those: the Ivorian conflict was dealt with through international organisations themselves, mainly the UN and the AU.

Moving onto the economic and social goals, these are the least focused on by the selected resolutions, as none of the goals is explicitly or implicitly mentioned in any of them. In contrast, legal goals are fairly recognised by the UNSC. The first one, regarding the enforcement of the rule of law, as well as tackling corruption, appears in resolutions 1464, 1479, 1528, 1609, and 1721. These resolutions mention the importance of the Prime Minister and the involvement of the civil society in the peace process, the need to have fair and transparent elections, as well as ending impunity, and the protection of human rights. The second legal goal is related to having independent judiciaries and a fair justice system, and this is mentioned in resolutions 1528 (subsection *Law and order*), 1609 (subsection *Law and order*), and 1721 (paragraph 18). Moving on, the resolutions that address domestic accountability and impunity are resolutions 1609 (paragraph t), 1633 (paragraph 20), and 1721 (paragraph 30). Finally, regarding the last legal goal to prevent mass atrocities, the ratification of the International Criminal Court (ICC), is not mentioned in any of the selected resolutions.

Undoubtedly one of the key aspects of the prevention of mass atrocities, the UNSC puts a lot of emphasis on military goals. The next two military goals, disarmament and the reintegration of soldiers, are explicitly mentioned in resolutions 1479, 1528, 1609, 1633, and 1721, as all of them dedicate a paragraph to disarmament, demobilisation, and reintegration (DDR). The third goal, the security sector reform, is not explicitly mentioned in any of the selected resolutions, as although some of them mention the importance to implement a gender perspective in the peacebuilding process, which could be considered a reform or innovation, this is not enough to be considered a solid reform proposal. Next up, the resolutions that talk about weaponry control, and mention the light arms control, are resolutions 1464 (paragraph 11), 1479 (paragraph 13), and

1609 (subsections *Disarmament and dismantling of militias* and *Monitoring the arms embargo*). Finally, resolutions 1609 (paragraph b), and 1633 (paragraph 5) talk about confidence-building measures.

Moving on, the policy tools used in Côte d'Ivoire for the direct prevention of mass atrocities will be discussed. Starting with the political tools, there were no positive incentives in the selected resolutions, but in the more intrusive measures category, human rights investigations were mentioned in resolution 1975, specifically in paragraph 8. As for negative tools or sanctions, travel bans were discussed in resolutions 1946 (paragraph 6), and 1975 (paragraph 12). Next up, no positive or more intrusive measures were mentioned in the chosen resolutions. As per sanctions, asset restrictions are mentioned in resolutions 1946, and 1975, in the same paragraphs where travel bans were discussed. The banning of trade in particular products is mentioned in resolution 1946 (paragraph 14), with rough diamonds being the banned product. As for legal tools, there are no threats of referral to the ICC.

Lastly, military tools are the most talked about in the selected resolutions. The first goal, categorised as a positive incentive, is military aid. This is discussed in resolutions 1946, 1951, 1967, and 1975. Some of them mention additional aid such as the deployment of more forces, and others reiterate the support given to the UNOCI. As for more intrusive measures, preventive deployment is specifically mentioned in resolutions 1951 (paragraph 1), and 1967 (paragraphs 1, 4, and 5). Next up, the prevention of incitement is discussed in resolutions 1946 (paragraph 7), 1967 (paragraph 10), and 1975 (paragraph 9). The threat of military force is clearly stated both in resolutions 1967 (paragraph 8) and 1975 (paragraph 6). Arms embargoes, which fall into the category of negative tools or sanctions, were discussed in resolution 1946 (paragraphs 1 and 5).

**Table 3. Long-term Prevention of Mass Atrocities: Policy Goals.
Côte d'Ivoire's Case Study**

Political	Economic / Social	Legal	Military
Good governance: 1721	Economic inequalities reduced, particularly to ensure that some groups are not marginalised	Rule of law enforced (to counter discrimination against particular groups), and corruption tackled: 1464, 1479, 1528, 1609, 1721	Disarmament (including controlling militia): 1479, 1528, 1609, 1633, 1721
Protection of human rights (including minority rights): 1464, 1479, 1528, 1609, 1633, 1721	Economic opportunities improved (especially for youth), through sustainable economic development/ growth	Independent judiciaries/ fair justice system (to counter discrimination against particular groups): 1528, 1609, 1721	Reintegration of soldiers/ militia into civilian society: 1479, 1528, 1609, 1633, 1721
Indigenous conflict resolution capacity, community peace-building capacity, including capacity to respond to warning signs of mass atrocities	Education for tolerance	Domestic accountability/ address impunity (including criminal prosecution, truth and reconciliation processes): 1609, 1633, 1721	Security sector reform (including civilian governance)
Democracy - including the diffusion of power: 1528, 1609, 1633	Openness to trade (foster interdependence)	Ratification of ICC	Restraints on weaponry/ small arms and light weapons control: 1464, 1479, 1609
Fair constitutional structures: 1464, 1479, 1609, 1721			Confidence-building measures: 1609, 1633
Press freedom, but action against incitement/hate speech: 1609, 1721			
Exclusionist ideology is marginalised: 1721			
Membership in international organisations (foster interdependence and socialisation)			

Adapted from: Task Force on EU Prevention of Mass Atrocities (2013, p.51).

Table 4. Direct Prevention of Mass Atrocities: A Continuum of Policy Tools.
Côte d'Ivoire's Case Study

	Political	Economic / Social	Legal	Military
Positive / incentives	Friends groups	Economic inducements including trade and aid incentives		Incentives including military aid: 1946, 1951, 1967, 1975
	Provide financial and technical support for indigenous early-warning/response systems and conflict resolution by NGOs, local communities and/or business			
More intrusive measures	Diplomatic peace-making, including: ambassadors on the ground, use of eminent persons/envoys; good offices/mediation; track 2 unofficial dialogue; arbitration; peace commissions			Preventive deployment: 1951, 1967
	Fact-finding missions and the systematic collection of data by embassies on the ground			Prevention of incitement (e.g. jamming radios): 1946, 1967, 1975
	Human rights investigations: 1975			Safe havens and non-fly zones
Negative / sanctions	Travel bans: 1946, 1975	Asset restrictions: 1946, 1975	Threat of or referral to the ICC	Arms embargoes: 1946
	Diplomatic sanctions	Trade embargoes and other trade sanctions (e.g. banning of trade in particular products): 1946		Threat of military force: 1967, 1975
		Economic sanctions including aid suspension or redirection		Sanctions including reduction in military aid

Adapted from: Task Force on EU Prevention of Mass Atrocities (2013, p.53).

4.2. Libya

The conflict in Libya is a very complicated string of events that led to major instability in the country. After a coup d'état brought Moammar Qaddhafi to power in 1969, Libya saw itself as a socialist republic and in a complicated relationship with Western states. With Libya having an Italian colonial past, Qaddhafi opted for an anti-imperialist and anti-colonial stance. The leader became involved in pan-Arabic and pan-Africanist movements, as well as forming alliances with the Global South. After almost fifty years of rule, Qaddhafi saw a true threat to his regime: the Libyan Revolution. Part of the Arab Spring, the revolution was led by anti-Qaddhafi forces, the National Liberation Army, the Islamic Fighting Group, and other rebel groups, and it was triggered by Qaddhafi's corruptive tactics, Libya's high poverty and unemployment rates, and the underdevelopment of many parts of the country, especially the ones where oil was being extracted from. Reuters reported that many Libyans viewed Qaddhafi's government as a kleptocracy (2011), which meant that the government was influenced by money-driven lobbies, becoming corrupt and "stealing" the nation's rightful economic resources. These protests, which were violent from the start, were strictly oppressed by the government, and eventually led to a civil war.

The civil war began in early mid-February 2011, but the Day of the Revolt, on February 17, is considered the official start of the war, as the National Conference for Libyan Opposition called for all opposition groups to protest against Qaddhafi across the country and outside of it. International military intervention in Libya came after the adoption of the UNSC resolution 1973 on 17 March 2011, which called for an immediate ceasefire, established a no-fly zone, and authorised the use of all means necessary to protect civilians. The intervention was highly polemic, and opinions were divided, as one Gallup (2011) poll perfectly illustrates: 47% of Americans approved of the military action in Libya versus a 37% disapproval percentage. The report "Independent Civil Society Fact-Finding Mission to Libya", published in January 2012 by the Palestinian Centre for Human Rights, the Arab Organization for Human Rights, and the International Legal Assistance Consortium, accused the North Atlantic Treaty Organisation (NATO) of some violations. Particularly, the report pointed out that NATO identified and attacked targets based on its own information and intelligence without consulting opposition forces on the ground, and doubted that, even if NATO issued prior

warnings to an attack, no casualties were reported (Arab Organization for Human Rights *et al*, 2012). The intervention has been cited as an example of the R2P global commitment, as Gareth Evans expressed (2011), the international military intervention in Libya had one justification: protecting the country's people from Qaddhafi.

4.2.1. Examining UN's Actions in Libya

As mentioned beforehand, Libya's case differs from Côte d'Ivoire's because there was no build-up in the UN's actions to diffuse or prevent the conflict. Therefore, there are not a plethora of previous UNSC resolutions to prevent mass atrocities. That is why the two selected resolutions will be examined according to the policy tools used for the direct prevention of mass atrocities.

There are no positive political tools in either resolution, instead, more intrusive measures like diplomatic peace-making are found in resolution 1973 (paragraph 2), whereas human rights investigations are mentioned in resolution 1970 (paragraph 2). For negative tools or sanctions, travel bans are discussed and established in resolutions 1970 (paragraph 15), and 1973 (paragraphs 22 and 23). In the economic and social tools sphere, asset restrictions are also discussed in both resolutions 1970 (paragraphs 17 and 18), and 1973 (paragraphs 19, 20, and 21). As for legal tools, the threat of or referral to the ICC is included in resolution 1970 (paragraphs 4 to 8). A more intrusive manner of using military tools is found in resolution 1970 (paragraphs 6 to 12), in relation to the establishment of a no-fly zone. More negative measures, for example, arms embargoes and sanctions including the reduction of military aid, are discussed in both resolution 1970 (paragraphs 9 to 13), and resolution 1973 (paragraphs 13 to 16). The threat of military force is openly mentioned in resolution 1973 (paragraphs 4 and 5).

Table 5. Direct Prevention of Mass Atrocities: A Continuum of Policy Tools.
Libya's Case Study

	Political	Economic / Social	Legal	Military
Positive / incentives	Friends groups	Economic inducements including trade and aid incentives		Incentives including military aid
	Provide financial and technical support for indigenous early-warning/response systems and conflict resolution by NGOs, local communities and/or business			
More intrusive measures	Diplomatic peace-making, including: ambassadors on the ground, use of eminent persons/envoys; good offices/mediation; track 2 unofficial dialogue; arbitration; peace commissions: 1973			Preventive deployment
	Fact-finding missions and the systematic collection of data by embassies on the ground			Prevention of incitement (e.g. jamming radios)
	Human rights investigations: 1970			Safe havens and non-fly zones: 1973
Negative / sanctions	Travel bans: 1970, 1973	Asset restrictions: 1970, 1973	Threat of or referral to the ICC: 1970	Arms embargoes: 1970, 1973
	Diplomatic sanctions	Trade embargoes and other trade sanctions (e.g. banning of trade in particular products): 1970, 1973		Threat of military force: 1973
		Economic sanctions including aid suspension or redirection		Sanctions including reduction in military aid: 1970, 1973

Adapted from: Task Force on EU Prevention of Mass Atrocities (2013, p.53).

5. Conclusions

Having analysed the relevant UNSC resolutions for both conflicts, it is now important to contrast the findings of this analysis to the R2P consensus to determine if the UN acted in accordance with it.

Starting with Côte d'Ivoire, the results from the first table illustrate how the UN covered a wide array of tools, albeit failed to address the structural or root causes that often derive from a weak state and internal conflict that can end up in mass atrocities being committed. Focusing on indigenous conflict resolution capacity as a way of prioritising grassroots peacebuilding is dismissed by the UN, as is promoting membership in international organisations to foster interdependence and socialisation. However, other aspects such as the protection of human rights, promoting democratic values, or trying to build fair constitutional structures, appear continuously in the selected resolutions, in line with Western views of liberal peace. DDR was clearly a priority for the UNSC, being mentioned in five resolutions, however, a security sector reform was not discussed in any of the resolutions. Moving onto the second table, findings show how the direct tools to prevent mass atrocities were mostly coercive: travel bans, asset freezes, trade embargoes... Moreover, it is clearly seen that military measures are the protagonists in the selected resolutions, as UNOCI's mandate was constantly renovated during the Ivorian conflict, and so was the authority given to the French troops.

The first two pillars of R2P refer to the state's responsibility to protect its citizens from mass atrocities, as well as the international community's responsibility to encourage states to fulfil their duties, respectively. In Côte d'Ivoire's case, the state was failing to protect its citizens, yet although the selected resolutions mention democracy, the rule of law, and the protection of human rights, there are no real, tangible actions to achieve it. As Foluke Ipinyomi puts it, "while democracy is a goal that should be desired by all sovereign nations, meaningful democracy can by no means be imposed but must evolve in tandem with the evolution of any sovereign nation" (2012, p. 174). Moreover, there are a few key points that the UN missed in Côte d'Ivoire's case, such as the issue of citizenship: the constant focus on liberal peace values, and the application of a peace-making formula based on a ceasefire, power diffusion, and elections, did not work for Côte d'Ivoire because the underlying issues were not resolved (Bah, 2010, p. 615). Therefore, the forefront of the international community, the UN, failed to

encourage and support Côte d'Ivoire's responsibility to protect its citizens, as it imposed a peace model that was inaccurate for the conflict's nature.

The third pillar is related to the state's failure in protecting its population, and the international community's permission to intervene if needed. In this case, the results provided by the analysis following the second table illustrate how the UN was very much focused on intervening in the conflict from the get-go. The UNOCI had already been created and was operating, before the war erupted again in 2010, so the resolutions focused on its reinforcement and legitimacy of it, with some of the military tools used to prevent mass atrocities. Most importantly, resolutions 1967 and 1975 alluded, without room for doubt, to the R2P commitment, but especially to the third pillar. The authorisation given to the UNOCI to use all necessary means to carry out its mandate to protect civilians was a clear declaration of intentions, although the motive is still contested by critics, who question to what extent did the UN intend to instil a regime change in the country (Bellamy & Dunne, 2016, p.10).

Moving on to Libya's case, the findings from the direct prevention table illustrated the priorities and tools used to combat possible crimes against humanity in the country. No positive measures or incentives were utilised by the UNSC, which shows the severity of the situation, as well as the timeline of the conflict: the protests in Libya started in mid-February 2011, but in less than two weeks, insurgents gained control of eastern areas of the country (Adler-Nissen & Pouliot, 2014, p. 897). As for political tools, human rights investigations were somehow alluded to in resolution 1970, as the UNSC urged Libyan authorities to allow access to international human rights monitors, and travel bans were also imposed in both resolutions. Diplomatic peace-making was acknowledged in resolution 1973, as the UNSG's Special Envoy and the ad hoc High-Level Committee of the AU's Peace and Security Council were sent to Libya in hopes of fostering dialogue and eventual political reforms. Economic and social measures were also of a coercive nature, as they were only composed of asset restrictions and trade sanctions. Moreover, in the legal spectrum, resolution 1970 involved the ICC in the conflict, although cleared the UN from any possible expenses derived from possible investigations or prosecutions. Once again, military action was the focus of the UNSC. Intrusive and negative measures such as arms embargoes and sanctions that included a reduction in military aid were introduced in resolution 1970,

yet due to the conflict escalation, a no-fly zone and the threat of military force appeared in resolution 1973, aside from the reiteration of the previous measures.

In Libya's case, having seen the measures in both resolutions, the UN focused on R2P's third pillar. Qaddafi's regime failed in protecting its citizens from mass atrocities, thus resolution 1970 imposed harsh measures and introduced diplomatic efforts, although unsuccessful. These results propelled the UNSC to contemplate a full-on use of the third pillar, *ergo* authorising the use of force, albeit some members were unconvinced, like China, Russia, India, Brazil, and Germany, which ended up abstaining in the vote to pass resolution 1973. Nonetheless, the resolution was passed, being the first time the Council authorised the use of force to protect civilians *against* the wishes of a functioning state (Bellamy & Williams, 2011, p. 826). Therefore, this analysis demonstrates that the UN introduced sanctions and intrusive measures after passing resolution 1970, but because its diplomatic efforts were not met with acceptance, it decided to quickly move into the threat of using force, although not in a unanimous way (Hehir, 2013, p.147). It can be concluded, then, that in Libya's case, efforts by the international community were made to assist and encourage the state to stop the violence against civilians, yet all measures were strict and followed a harsh line of action, with a special focus on military prevention and intervention, and this culminated with the use of R2P's third pillar in resolution 1973. Mohammed Nuruzzaman defines the UNSC's invocation of R2P in Libya as damaging due to three reasons: the quick resort to military force, the double commission of war crimes and crimes against humanity, and the morally and ethically unacceptable post-intervention Western policy towards Libya (2013, p.63).

Therefore, answering the main research question, the interventions made in 2011 in Côte d'Ivoire and Libya did not follow R2P's original accounts as formulated by the UN and its agencies, which confirms the main hypothesis: preventive, diplomatic, and peacebuilding efforts fell short on both instances. Moreover, responding to the first subsidiary question, relevant actors were sceptical of R2P during its emergence, with the exception of the AU, and this lack of consensus in the emerging norm was made evident in 2011, and this answers the second subsidiary question: unanimity is not a defining feature of the 2011 R2P applications. In Côte d'Ivoire's case, although resolution 1975 was passed with unanimity from all UNSC members, the confusion came after, as UNSC members interpreted differently the resolution and UNOCI's

mandate, as China, India, and Russia were concerned about UNOCI's impartiality (Bellamy & Williams, 2011, p. 837). Libya's case is even more evident: the vote to pass resolution 1973 was divisive and not unanimous, and although it was finally passed, it received five abstentions from Brazil, China, Germany, India, and Russia, as they were not convinced that using force would solve anything (Bellamy & Williams, p. 843).

To tie this in with the chosen theoretical perspective, constructivism, during the second stage of a norm's "life cycle", norm entrepreneurs, in this case, the Western states that promoted the creation and necessity of R2P, attempt to socialise other states to become norm followers (Finnemore & Sikkink, 1998, p. 895). However, due to the focus on the third pillar of R2P both in Côte d'Ivoire and Libya, and the subsequent interventions, the process of norm cascading became static, as states grew sceptical and started questioning the motives and goals of the interventions, as seen in Syria's case (Hobson, 2016, p.449).

Moving onto the final considerations, the main setback encountered while writing this thesis is that there is no official and objective way to assess how an intervention should be made according to R2P. As Tourinho, Stuenkel and Brockmeier put it, the debate about how to legitimately operationalise the use of force in humanitarian crises remains largely unresolved (2016, p. 141), which means that judging or assessing how R2P-adjusted the two analysed interventions remains a touchy task.

However, and to conclude with the final considerations, this thesis has achieved its main objectives, which were to objectively examine the UN's interventions in Côte d'Ivoire and Libya from the R2P standpoint, as well as addressing the different views on it, contributing to the R2P implementation debate, and highlighting the need for a standardised and impartial way of protecting those who are in grave danger, which should always be the most important objective.

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