

AN ANALYSIS OF THE RESPONSIBILITY TO PROTECT
IN RELATION TO SOVEREIGNTY AND POWER

CEM OĐUZ KAR

BOĐAZIĐI UNIVERSITY

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Cem Oğuz Kar

Boğaziçi University

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DECLARATION OF ORIGINALITY

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ABSTRACT

An Analysis of the Responsibility to Protect in Relation to Sovereignty and Power

This study aims to analyze the United Nations' (UN's) concept of Responsibility to Protect by relating it to sovereignty and power in international relations. The concept discusses the limits of sovereignty in cases of atrocities. However, the concept's practice has conditions for the five permanent members of the Security Council that include not using their veto power. The roles and involvements of these five states in the concept, and the issues surrounding the concept are decisive. They illustrate the state's influence on international structure and principles. In this case, the sovereignty is related to responsibility as concept describes while decisions surrounding a situation are made by sovereign states. Thus, the concept faces differences in principle and in practice. The mission of preventing atrocities and understanding sovereignty as a responsibility in this perspective is shaping actions. The five permanent members of the Security Council determine military interventions by using the argument of the concept unilaterally, it will be detailed in the last chapter. However, these actions also include the interests of the five states, and while using the reasoning of the concept, these actions have also caused atrocities. In these cases, changes in the balance of international power are decisive in the practice of the concept. The Responsibility to Protect concept includes remarkable missions for humanity, however, practicing of the concept relies on sovereign state actions and it includes power dynamics.

ÖZET

Koruma Sorumluluğunun Egemenlik ve İktidar ile İlişkisi Üzerine bir Analiz

Bu çalışma Birleşmiş Milletlerin Koruma Sorumluluğu kavramının Uluslararası İlişkiler içinde egemenlik ve iktidar ile ilişkisini analiz etmeyi amaçlamaktadır. Bu kavram egemenliğin sınırlarını savaş suçları çerçevesinde tartışmaktadır. Fakat, kavramın uygulanabilmesi Güvenlik Konseyi'ndeki beş daimi üyenin veto yetkilerini kullanmamasına da bağlıdır. Bu beş devletin koruma sorumluluğu kavramı üzerindeki rolü ve etkisi ve ayrıca kavramı çevreleyen koşullar, uygulama konusunda belirleyici oluyor. Bunlar, devletlerin uluslararası yapı ve prensipler üzerine etkisini aydınlatan unsurlar. Bu durumda, koruma sorumluluğu kavramının ele aldığı şekilde egemenlik sorumlulukla ilişkilendirilmişken, bu durumla ilgili kararları egemen devletler veriyor. Bu yüzden kavramın uygulanması ile mantığı arasında farklılıklar oluşuyor. İnsanlığa karşı suçları önleme ve egemenliği bir sorumluluk olarak algılama, devlet aksiyonlarını belirliyor. Güvenlik Konseyi'nin beş daimi üyesi kavramın mantığını kullanarak tek taraflı askeri müdahalelerde bulunuyorlar, bununla ilgili vakalar tezin son bölümünde detaylıca incelenecektir. Öte yandan, bu aksiyonlar özellikle bu beş devletin çıkarlarını da kapsıyor ve kavramın mantığını dayanak alarak hareket ederlerken, kendilerinin de savaş suçlarına sebep oldukları durumlar görüyoruz. Bu durumda uluslararası güç dengesi koşullarındaki değişimlerin kavramın uygulamasında belirleyici konumdadır. Koruma sorumluluğu kavramı insanlık için önemli görevleri içinde barındırıyor fakat uygulamada kavram, egemen devletlerin aksiyonlarına ve güç dinamiklerine dayanıyor.

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CHAPTER 1

INTRODUCTION

The Responsibility to Protect concept of the UN is a responsibility of the member states to protect humanity from atrocities (UN General Assembly, 2005). The principle itself has an ethical motive of collective action for humanity, and to accomplish that, the state sovereignty concept becomes more lenient in such cases as atrocities, which seems to be a necessity. Currently, there are lots of atrocities happening in many places, and humanity is facing many disasters, including the Uyghur people in China, the Yemeni people, the Palestinian people in Israel, many different ethnicities and religious groups in Syria, Myanmar, Ethiopia, and Afghanistan, and in many different places, various groups of people are facing war crimes, human rights violations, ethnic cleansing, and crimes against humanity. Even if the concept aims to prevent these incidents and seems to have a universal moral perspective, it has many issues, such as its ways of action, decision making, actors, and subjects, which make the concept dependent on state actions. The Responsibility to Protect principle challenges the state sovereignty concept as an absolute right and changes this mentality to responsibility for the people to protect them from atrocities. However, the main executive actors of the concept are states, and in the international system which created the concept, states have a crucial role.

This study's main purpose is to examine the Responsibility to Protect concept by discussing the motivations behind its practice, the actors who apply, and its impacts from the perspective of international relations theories to find how the

concept is practiced and how it could be utilized. To do that, we must study the remarkable process of how the international system was built and transformed throughout time, which resulted in this concept, and what the attributes of the political actors of the concept are, who is responsible, how to protect and from what. The states have a crucial role in international structure, principles, and actions. The actions of states will be analyzed by international relations theories, with a discussion on the theoretical background of the Responsibility to Protect concept. In the first chapter, state actions and different perspectives of states' roles will be analyzed by realist, liberal, and critical approaches to international relations. Another purpose of this study is to indicate the historical background of today's international system, which created the Responsibility to Protect principle. The power balance in international relations and its effects in different conditions will be studied. While studying the instrumentalization of the concept by powerful states, the potential to accomplish its purpose, and even the benefits of current usage of the concept, will not be ignored.

To fulfill the study's aims, the flow of this research is divided into five chapters, including the introduction, and the conclusion. In the second chapter, the main purpose is to understand the actors of international relations and how they act. The question of who is responsible for the Responsibility to Protect concept will be examined as a mentality in this part. Using international relations theories, which could all be illustrative for understanding the different actions and actors of international relations, the relation between actors will be explained from multiple perspectives. While studying actors' motives, the theoretical background of the concept will be analyzed using states' roles.

In the third chapter, the historical background that created the UN system will be analyzed. The incidents, actions, and principles that shaped the UN will be examined to explain current events, actions, motivations, and principles. The intention of preventing atrocities was there in the League of Nations (LON) in a different way. The meaning and content of “preventing atrocities” have changed significantly from the LON to the UN, but it is crucial to understand the roots of this principle, founded in the LON, to analyze its current dimensions better. The political, practical, and structural background of the Responsibility to Protect concept will be studied by analyzing the international organizations and structure that create the concept. The mechanism of the UN, relations with actors, and their role in the international system will be studied. While doing that, the UN will also be analyzed as an actor, or a useful tool of the sovereign states, for international relations. Through this analysis, the organization’s motivations, actions, and decisions will be illuminated, and thus, how the Responsibility to Protect concept works will be clarified. Examples of cases in which the concept was applied or not applied will be investigated. The actions and roles of the powerful actors within the organization will be studied in each selected case. In this way, the roles of these actors in the Responsibility to Protect concept will also be explained.

The fourth chapter, before the conclusion, connects all parts’ relations with each other and with the Responsibility to Protect concept. The concept will be examined by its practices, mentality, possible and actual actions, and its actors, using data from previous parts. This part will show how state sovereignty works, the roles of powerful states in the international system, how international organizations and international principles are used as a tool for the powerful states, and the

contradictions between principles and practices. The role of powerful states in international structure and principles will be illustrated by the practices of the Responsibility to Protect concept. In this way, it will be seen that international principles are dependent on state actions, making them vulnerable to becoming an instrument of powerful states. The analyze of the concept will be made by the cases that includes practicing of the concept and the cases that ensures the requirements of practicing the concept but not practiced. These cases will be studied at the last chapter. The cases, the logic of the concept, and the international structure will be studied with relation to the five permanent members of the Security Council mainly. It is because they have crucial role in executing international principles, in the international structure established after the Second World War, and they have the most influential role in international politics and economics. This is also because limiting the thesis with specific actors and cases. While studying the cases and roles of these five states, all UN Security Council resolutions related to the concept are examined.

CHAPTER 2

THEORETICAL BACKGROUND OF STATE ACTIONS AND THE RESPONSIBILITY TO PROTECT

2.1 Realist approach

The Responsibility to Protect concept emerged in the 1990s, when several humanitarian crises took place in several territories: Rwanda, Bosnia, Sierra Leone, Kosovo, and others. The purpose of the concept was to prevent four different types of atrocities: genocide, war crimes, ethnic cleansing, and crimes against humanity. The UN member states agreed on three pillars for the concept at the 2005 World Summit to prevent these atrocities (UN General Assembly, 2005). The first pillar was about the state's own responsibility to prevent populations from the mass atrocities mentioned. The second pillar was about the responsibility of the international community to assist states in fulfilling their responsibility to protect their populations. Finally, the third pillar was about the international community taking action following the UN Charter and the decision of the UN Security Council against states who are not fulfilling their responsibility to protect their populations from atrocities (UN General Assembly, 2005).

The motion behind state actions has been studied by international relations theories, and there are various approaches to defining state actions in international relations. For example, in the realist theory, states are the main priority, and even for classic realists, the only actors in international relations. Realists describe international relations as a struggle to gain power (Morgenthau & Thompson, 1993). States take actions to gain more power, and of course, their interests clash with

others, which could lead to an unstable environment in international relations. In this perspective, state actions do not include moral motivations, such as the Responsibility to Protect. The national interests of the state are the priority, then international principles in the realist perspective. This perspective is state-centered and not the basis of human-centered, moral visions. That is why realists tend to see mass atrocities as insoluble problems alongside the aims of the Responsibility to Protect concept (Gallagher, 2012, p. 338). The Responsibility to Protect concept gives states an assistance role, as per pillar two, to other states experiencing problems in order to prevent atrocities. However, states are acting to increase their power based on their interests, without moral priorities. Also, as per pillar three, states take responsibility for populations who are not their citizens and join military action with the international community to save them. Without the potential of achieving their own interests, from the realist perspective, states will not make these kinds of actions. Military interventions are only made for national interests but not for sensibilities (Kennan, 1985, p. 209).

For realists, states have to trust only their sources but cannot trust others for needs. This argument is called the self-help system. States act according to egoistic rationality, which includes calculating the power of economics, politics, and military conditions of themselves and other states. States act by considering power to gain advantages over others and gain more competitive political power by their interests (Morgenthau & Thompson, 1993). The power calculation is about the conditions of the state itself and the conditions of the other states, but not humanitarian conditions. States tend to see other states as potential enemies or competitors in the power struggle. States questions other states' actions and intentions. This kind of approach

creates a security dilemma, in which states have doubts about other states and see them as potential enemies (Booth & Wheeler, 2008). Essentially, realists contend that states do not tend to act with humanitarian, moral motives. Concepts like the Responsibility to Protect or humanitarian intervention make states act on behalf of their interests internationally. For defensive realists who argue that states tend to act for protection and security in this perspective, international organizations are places where states can protect their security. However, offensive realists see international organizations as an instrument for gaining more power (Taliaferro, 2000, p.128-129). From a state-centered perspective, both arguments are correct. States both act to get more power and protect their security. However, state actions include both defensive and offensive actions; it is not appropriate to characterize their actions only one way. In fact, international relations are complicated structures, in which every actor has different interests and power status. States act for their interests according to their power in the international structure, but states can define interests differently under various conditions.

Because all states have different power conditions, these power relations and dynamics in state actions constitute an international structure based on the balance of power. Balance of power is the key element in explaining why states mostly do not use hard power to accomplish their interests. By situations such as economic relations and influence between states, states attempt to increase their power through the structure and balance system. From this perspective, state interests can establish international order by gaining stability and security. Thus, states could also act to prevent populations from atrocities in order to benefit from international stability, which can be their own interest (Gallagher, 2012, p. 347). Besides being tools to

reduce international anarchy that described as lack of order and international government (Milner, 1991, p.70), international organizations create an order from which powerful states can benefit more by influencing others with their political and economic power. International organizations are places for states with a privileged position in the international structure to use political influence on weaker states (Denk, 2015, p. 35). These privileged states force consent from weaker states to their interests. However, there is no higher authority in international relations, and international organizations are not an authority over states. Thus, the international system is an anarchy which powerful states gain more.

The United Nations is an organization that leads five member states of the Security Council to have veto power and an influential position in maintaining international peace and security. These five states have a remarkable influence on military intervention decisions. The Responsibility to Protect concept is implemented mainly by the actions and decisions of these five states. Essentially, states can force consent to their actions based on national interest by international organizations and on using moral arguments with international principles. In asymmetric power conditions, international organizations are remarkable places for dominant states to bargain on interests less costly in economic and political ways and to easily influence others' decision making. The dominant states gain long-term stability by forcing consent to influenced actions and decisions on a multilateral platform. However, they also reduce their short-term gains by expanding the decision-making process to other actors and shaping their actions with international rules and principles (Martin, 1992, p. 783–786). That is why international law and organizations are both tools and obstacles for powerful states, and their actions are not unidirectional. However, they

can calculate the power structure and conditions to choose to comply with international organizations or not (Krisch, 2005, p. 371).

State actions depend on balance of power conditions, which is a central concept of the realist approach. Realists explain balance of power basically as preventing domination of a state on other states in international structure (Kegley, & Wittkopf, 2006, p. 503). For Kenneth Waltz; the balance of power requires two main things; anarchic international order and states who act to survive in this environment (Waltz, 1979, p. 121). During the Cold War, the bipolar system led states to make policies coherent to two bloc systems. The states from the Western bloc acted together to reinforce security against the communist bloc, and North Atlantic Treaty Organization (NATO) was established from this perspective. NATO is an excellent example of powerful states expanding security policies with weaker state's participation. It provides more security for weaker states than they could establish without powerful partners (Oneal, 1994, p. 427). Also, by sharing military expenses, states reduce their defense burden. For NATO, the United States covers most of the expense due to a higher percentage in gross domestic product (GDP) than other members; still, all members reduce their security cost with the security level ensured by acting together (Oneal, 1994, p. 442). International organizations are shaped by the states that found and sustain them, and NATO illustrates how these organizations become tools of the powerful states to pursue their national interests (Waltz, 2000, p. 18). The Warsaw Pact also had similar impacts on member states during the Cold War. Powerful states use international organizations and principles with their power and influence. The benefits which weak parties get from being a member of these organizations legitimates the decisions made in the organization for them (Martin,

1992, p. 784). In addition to international organizations being platforms for states to act for their benefits, they are also a key factor for legitimizing their actions. States need international organizations to legitimate their actions by making them international decisions using these organizations. This is a tool that converts state interests to international interests (Denk, 2015, p. 35). A decision made in these organizations is seen and claimed as a decision for international interests.

The legitimating of actions does not make the actions legal at the same time. The Kosovo case is an example of how NATO used international principles for human protection to legitimate military intervention; however, it was not a legal action according to the UN Charter. Cases like these will be analyzed in the last chapter. In theory, from a realist perspective, international organizations and principles can be seen as an instrument for states. The Responsibility to Protect concept can also be used as an instrument by powerful states to legitimate actions based on their interests.

2.2 Liberal approach

In liberal theory, human nature is inclined to find benefits in collectivity and cooperation; thus, it needs to cooperate to benefit (Ward, 2006, p. 692). In this perspective, international society's economic and political development and cooperation are crucial elements of the actions made in international relations. In the competition and cooperation between many different actors, balance and harmony occurs in the liberal perspective to maintain mutual benefits. The mutual dependency argument explains the liberal perspective on international relations. In liberal economic theories, free trade leads to specialization of production of different

products for different states, and it creates a comparative advantage (Ruffin, 2005, p. 716–717). These trading advantages make states dependent on each other on the basis of products. Thus, the dependency creates a need for stability for all parties. The states tend to act compatibly to the international structure to maintain peace and benefits. In contrast to the realist perspective, in the liberal perspective states do not only act for their interests and benefits, but there are also international ethics that affect state actions, such as free trade, human rights, maintaining peace, and security. From this perspective, because of ethical motives and the benefits of peace and free trade, the international society is inclined to peace, not war.

State actions have a remarkable power in defining the international structure from the liberal perspective because the international system is mainly based on sovereign state relations. States are the actors who shape international organizations. International organizations are places to maintain economic dependencies that have emerged from cooperation. Politically, states gain stability and security in international relations by establishing dependency in relations. However, interdependence can be asymmetrical. States gain more from dependence and can use international organizations to maximize their power when managing the harms of their policies for their domestic situation (Keohane & Nye, 1973 p. 32–36). Interdependence becomes integration with powerful states, and with integration, international politics turns into national politics (Waltz, 2000, p. 15). The international structure based on balance and cooperation is related to states finding benefits in cooperation, and the structure is influenced mainly by powerful states. In addition to the benefits of dependence, states also act with ethical motives in the liberal perspective (Sinopoli, 1993, p. 644-645). The regime of a state can be

determinative of the actions made in the international area, because the regime of a state is one of the main factors that shapes how a state follows international ethics and principles.

The political structure and ruling system of the state are key elements for the liberal perspective to explain the behavior of states in international relations. The liberals argue that democratic states are inclined to have peaceful relations. Thus, the solution for international peace is again a democratic concept with liberal principles. According to Immanuel Kant, liberal republics do not engage in war with each other (Doyle, 1986, p. 1158). There are several reasons why liberal understanding sees democracies as leading to peace in international relations. First, democratic regimes do not war with each other because they have some common principles, including human rights or political rights. Institutions based on shared principles stop governments from violating each other's political rights at the international level and act compatibly. Thus, the leaders of democratic regimes are accountable for their actions; unlike authoritarian regimes, this leads them to act more cautiously. Also, democratic regimes are engaged in trade with each other more often and with consistent, long-term relations; they trading partners—they have common economic interests based on their trading and diplomatic relations. Michael Doyle describes this mutual respect between democratic regimes:

These conventions of mutual respect have formed a cooperative foundation for relations among liberal democracies of a remarkably effective kind. Even though liberal states have become involved in numerous wars with non-liberal states, constitutionally secure liberal states have yet to engage in war with one another (Doyle, 1983, p. 213).

This is democratic peace theory of liberal approach. In this perspective, the lack of democracy is a source of conflicts and wars.

An authoritarian regime is inclined to act more aggressively than a democratic regime in international relations from a liberal understanding. Aggressive foreign policies can be an instrument for authoritarian regimes to increase their power both inside and outside the country. Transparency in the media is not enough to call to account the regime for their actions. States can produce discourse on national identity and interests through the education, military, and political systems to create legitimacy of aggressive policies domestically, and authoritarian regimes are able to do this more easily than others, because they are less accountable to public. Also, an authoritarian regime sustains executives, but not of legislature; it makes their actions unpredictable to other states. These regimes oppress their citizens economically and politically; thus, these political conditions are tending to create resistance to their existence. In this situation, authoritarian regimes tend to collapse with violent political actions, such as civil wars. In this perspective, authoritarian regimes damage international stability and security by causing aggressive state actions and humanitarian crises. To define a regime as democratic or authoritarian, certain elements, such as constitutions based on the right principles, have to exist. If the rules are just and protect the separation of powers, then governments have to stick to the rules, and in these ruling systems, it is also hard to create a violent revolution and take control (Kant, 1917, p. 127). The main systematic elements which have to exist to define a system as democratic are free elections, human rights, freedom of speech, and an independent judiciary (Fukuyama, 1992, p. 43). The line between democratic and authoritarian regimes relies on principles; however, no state perfectly complies with principles in every action, even if they have strong institutions and constitutions based on these same principles.

In the global economic and political system, liberal opinion has been growing since the end of the Cold War era. In his book, Fukuyama (1992) argues that authoritarian regimes are turning into democracies because democratic rights are challenging authoritarian regimes, and political systems are getting more democratic globally. He argues that global domination of the liberal economic system will lead to peace and the end of history. There are, of course, problems but not contradictions, and higher principles to achieve (Fukuyama, 1992, p.136).

With changing powers after the Cold War era and liberal democracies becoming more dominant in the international system, idealist principles extended to the international level. The sovereignty and nonintervention concepts became less important than saving human lives and ending instability and humanitarian crises caused by authoritarian regimes. The argument of democratic peace is becoming the reason for powerful liberal regimes to take military action against non-democratic ones. The understanding of preserving peace relies on defeating non-democratic states and making them democratic. The democratic regimes are also promoting war with this perspective (Waltz, 2000, p. 11). However, the liberal perspective argues this from a moral perspective. The military intervention has to be taken with a morally defensible motive against the states that fail to protect human rights (Doyle, 2011, p. 77–78). The Responsibility to Protect concept is giving states a morally defensible motive to take military action. International organizations and principles are legitimating state actions. The principles are as morally remarkable as the Responsibility to Protect concept is. However, the position of the powerful states in the international structure and their actions, which will be analyzed in the following chapters, illustrate how ethical principles can be used in power politics.

2.3 Critical approaches

The realist and the liberal theories played key roles in international relations studies for years and produced an understanding of international relations influenced by power, overlooking some structural problems. In contrast, the critical theories mostly evolved in the late Cold War era. These theories aim to find solutions for dismissed structural problems and inequalities. The mainstream theories help us see the ideas and reasons behind sovereign actions and international relations from the perspective of sovereigns and the powerful. However, each critical theory illustrates a different angle against the status quo and the international system's defects. Mainstream theories are power-centered theories that lead to an understanding of the world from the capitalist economic system. The state actions or understanding of welfare or democracy are directly linked with the capitalist perspective. One of the remarkable theoreticians of critical theories, Antonio Gramsci, has developed the concept of hegemony, which gives a perspective that the hegemony of powerful states is not based on military domination but includes political, economic, ideological, and cultural influences, which can expand the limits of cooperation and lead the processes of the hegemonic groups' economic and political influences (Gramsci, 1971). In this perspective, the mainstream theories are influenced by the hegemony of the capitalist system. Both realist and liberal perspectives reason the actions of the powerful ones in different ways.

Marxist theory, founded by Karl Marx in the 19th century, argues that the capitalist system is based on labor exploitation. It creates a worker class that the system is dependent on to exploit their labor and create profit for the bourgeois class.

Thus, in this perspective, Marx argues that there are only two main classes worldwide: the bourgeois class and the worker class. The international system, or history, is a struggle between these classes (Marx & Engels, 1955). The central capitalist states have to find markets to sell their products, and to do that, markets have to be able to consume the products. With this profit-based desire, major capitalist powers create imperialist policies that help them reach markets able and willing to consume their products. A practical example of this policy will be analyzed in the League of Nations part, especially with the mandate system.

The class struggle perspective can be expanded to the international system as struggle and exploitation between central powers and the periphery (Wallerstein, 2004). Central powers mainly shape the international structure through international organizations and principles, which helps them benefit more than the periphery. The central powers also shape the Responsibility to Protect concept, and they are the executors of the concept in practice. In this perspective, the Responsibility to Protect concept can be a tool for central capitalist powers to intervene in periphery powers to sustain an unequal international system.

Another significant difference between mainstream and critical theories is the diverse approach to natural and social factors in international relations. In influencing international relations, critical theories give the leading role to social factors, including education, social life, discourse, knowledge, environment, international structure, international system, international principles, and others. International structure and power dynamics influencing discourse and knowledge. The poststructuralist approach contends that knowledge and subject are not extrinsic from power, but power exists with subject and knowledge (Foucault, 2011). A

principle or an idea includes traditions, understandings, and politics, which the deconstruction of the discourse can illustrate. Jacques Derrida argues that discourse from its understanding relates to the political structure or traditions and, by deconstructive criticism, reaches a broader understanding (Williams, 2005, p. 30). In this perspective, a principle is practiced or understood by the limits of the international structure, but it includes the meanings of better understandings or practices. For example, human rights are fundamental principles for humanity, but how it is practiced or understood is, from a critical perspective, significantly related to Western values and policies and the structure of the Western states. The difference between the essence of the principle and understanding of it leads to some contradictions within the principle's meaning and the principle in practice. However, the principle includes a better understanding of it, and to reach that, it has to be criticized by the deconstructive perspective.

The same is true for the Responsibility to Protect concept. Protecting human populations from atrocities and reframing state sovereignty based on the concept are remarkable ideas for the international society. However, the Responsibility to Protect concept is sustained and executed by the states in a system that allows them to act for their interests. Also, the concept emerged at the end of the Cold War era when the liberal system was shaping the international structure. The Responsibility to Protect concept includes all these structural elements and actions based on states in the discussion surrounding state sovereignty.

CHAPTER 3

THE STRUCTURAL AND PRACTICAL BACKGROUND OF THE RESPONSIBILITY TO PROTECT

3.1 League of Nations

The LON organization was officially founded in 1920 to promote international cooperation and achieve international peace and security. When the First World War ended, it was decided during the Paris Peace Conference in 1919 that an international organization was to be built to protect peace and prevent wars. The President of the United States, Woodrow Wilson, published a series of principles at the U.S. Congress in 1918 about international peace and cooperation (Wilson, 1918). These principles affected the constituent principles of the LON organization. The Wilson Principles include liberal values, such as free trade, open diplomacy, freedom of navigation and self-determination. Likewise, the LON published similar principles: “the obligation of not to resort to war, open, just and honorable relations between nations” (LON, 1938). The ideals and principles were peaceful, but the peace was from the perspective of the winning parties of the First World War.

The structure of the organization included an organ as Council, which was the executive part of the organization. The Council had four permanent and four non-permanent members. The permanent members were the United Kingdom, France, Italy, and Japan, mainly the winners of the First World War. However, the member structure of the Council changed over time and added more non-permanent and permanent members. In 1926 and 1934, Germany and the Soviet Union, respectively, became members of the organization and became permanent members of the

Council. Between the two wars, the U.S. was following isolation policies, and they were not a member of the organization. The executive role in the organization was mainly in the UK and France, which had different interests in the power structure and the organization. The UK government was trying to avoid a new European war by ignoring the aggressive policies of Germany and aiming to create a negotiable environment for all major powers with their appeasement policies. In contrast, France was aiming to limit Germany to stop a military threat from its neighbor. The prime minister of the UK, Neville Chamberlain, underlined the difficulty of the LON maintaining international security because of the organization's dependency on state actions and the different interests of these states. (Beck, 1995, p. 180). The organization aimed to create cooperation to prevent a new war; however, because of the difficult conditions dictated in the peace treaties of the First World War to losing parties, the balance of power was very fragile and broken in a short time. Article 8 of the Covenant of the LON included the disarmament principle, and it aimed to minimize armaments to the level of protecting national safety to maintain international peace. However, in the Versailles Agreement, heavy reduction of armament conditions had already dictated to Germany, and all disarmament practices of the League were unequal; therefore, it could not be practiced permanently. Thus, the balance of power which creates consent to the international structure was not there because of the failure of the disarmament principle in total and also the LON's dictation of unequal conditions for different states. When Germany annexed Austria and Czechoslovakia, or when Italy annexed Ethiopia, the organization could not create an efficient policy against or prevent these events; only appeasement policies

were made. The LON is a good example of the influence of power in international relations on the principles and practices of international organizations.

When the LON organization was first founded at the Paris Peace Conference, the interests of the winning parties of the First World War were at stake. The peace treaties aimed to share the territories occupied by the defeated parties in favor of the interests of the winning states. The mandate system was a way to achieve their purpose. The mandate system gave the right to intervene to powerful states, who were the winners of the war, in some periphery territories of the losing parties. The responsibility to protect concept is also practiced mainly influence of central powers to periphery as it will be studied with the cases in the last chapter. Before the war, there were empires such as the Ottoman Empire, German Empire, and Austrian-Hungarian Empire. They were formed by different ethnicities and territories in the Middle East, Africa, Europe, and Asia. Taking control of these human sources and lands to have more markets for their products and more political power to establish a system to make it constant was the main aim of the Allies during the war (Potter, 1922, p. 563). The LON was used as a tool by the winning states to achieve their interests and establish a system to secure their gains, among other advantages. The territories were given to the winning states of the war as a mandate administered on behalf of the LON. In Article 22, the mandate was claimed as the responsibility of the developed, advanced, and civilized nations to be undertaken in favor of the nations which were not able to govern themselves in the modern world, and this responsibility would last until the time these undeveloped peoples were able to govern themselves (LON, 1919).

The mandate itself has a problematic perspective of the defeated side's territories and people because it claims that they cannot govern themselves. The LON system and the peace treaties could not prevent the subsequent wars; on the contrary, they constituted the leading causes of the emergence of the Second World War by using international principles on behalf of their interests and creating unfair structures. The mandate system and related practices showed how the winning parties used the organization for their interests. The system defined some people as undeveloped and incapable of governing themselves, and other nations are modern, civilized, and advanced, the perspective of the winning states.

Edward Said has a remarkable argument on the European powers as they define the East and create the West contrary to it (Burney, 2012, p.24). It is a discourse of the powerful side defining the weak. Orientalist studies started around the late 18th century when the major European powers started to have more opportunities to manage regions in the Middle East. Unlike in previous centuries, European states had greater technological improvements, and it gave them superiority against the Ottoman Empire and other political powers in the region. During this period, the Western powers were working on expanding their power to these regions, and these works included political, military, economic, and cultural points. The Orientalist studies were part of these cultural efforts, including defining Eastern people as lazy, irrational, incapable of governing themselves, and slaves of their desires. For instance, English politician Arthur Balfour directly says, "Look at the all history of the orient, there is not even a single example of self-governing by their own will" (Said, 1991, p. 32). The English desire and potential to govern Egypt created such arguments.

Orientalism studies were very active when the mandate was revealed at the LON, and there is a link between the idea of the Middle East states' incapability of self-governing and these studies. However, the mandate not only pointed out the Middle East regions but also the African and Pacific regions. The Orientalism example helps us understand how European power produced knowledge and created principles by a colonial mentality. Regions taken from Germany were never subject to the mandate because Germany was part of the Western culture, and the incapability of self-governing was not an issue for them. The colonial mentality was there at the LON, which was supposed to be an inclusive and equal organization for all nations. The orientalist and colonialist mentality of the Western states also have signs in the responsibility to protect concept. The role of the central Western powers in practicing and defining the concept illustrates the most of the actions based on the responsibility to protect and humanitarian intervention concepts used on periphery regions. When China or Israel causes atrocities, these incidents are not examined in perspective of these concepts, but for weaker periphery states the situation is not same. The colonial arguments could not create a legal base on military interventions in our time, but indirect means helps powerful states to justify their actions based on gaining political power and influence (Damboeck, 2012, p.291). The selectivity on interventions explained as humanitarian imperialism, and it shows the central Western state actions based on economic and political gains but justified with moral values (Bricmont, 2006, p.10). The democratic peace theory of the liberal approaches also related to this Western colonial mentality. The interventions made by democratic Western powers against weak states had similar motives as the mandate system. The political instability of the weak states created an excuse for central

powers to take military action by using international principles and organizations. The Responsibility to Protect concept has a more humanitarian mentality than the mandate system; however, it is also only applicable to weak states because of the international structure.

3.2 Missions of the United Nations

The UN as a concept was used first by Allied powers during the Second World War as the “United Nations Fighting Forces,” and they aimed to prevent the aggressive actions of the Axis countries. One of the key events before the foundation of the UN as an international organization was the Atlantic Declaration. The President of the United States, F. Roosevelt, and the Prime Minister of the United Kingdom, W. Churchill, made the declaration on 14 August 1941. In this declaration, some of the founding principles of the UN organization were put forth. These principles were similar to some of the tenets of the LON, for instance, self-determination, free trade, economic cooperation, and disarmament. Also, two presidents announced that there would be no territorial gains after the war for winning parties, and there would be no territorial changes without concern for the people’s wishes after the war.

This declaration was remarkable because the principles showed that these two powers were announcing international principles against the local nationalist, revisionist interests of the Axis powers. The main principles of the declaration were freedom of speech, freedom of worship, freedom from want, and freedom from fear. These principles were put forth as universal norms against the aims of the Axis powers. These norms also highly influenced the international organization, which was founded after the war. The benefits of the principles could be claimed for all

humanity, like other principles that would come after. However, how the principles would be practiced or how they would be interpreted, to what extent its limits would be, and to whom it would be practiced against, who would practice, and how these principles would be implemented, these questions are the main part of this study, especially when it comes to the Responsibility to Protect concept.

A few months after the Atlantic Declaration, on 1 January 1942, the USA, the USSR, China, and the UK signed a declaration as the United Nations. It accepted the principles of the Atlantic Declaration, and these states declared that they would fight against Axis forces with total capacity. These states would be the four of the five later permanent Security Council members later. Three of these five states, the USA, the USSR, and the UK governments, met at Yalta to decide the structure of the new organization. The Yalta Conference was the critical meeting for the five permanent members of the Security Council. In this conference, a call was made from four of these five states—the USA, the UK, the USSR, and China—to other states, which would later found the organization. The condition of attending the San Francisco Conference was signing the United Nations' declaration and declaring war against the common enemy, which was the Axis powers.

With the San Francisco Conference, the UN as an international organization was founded on 25 April 1945 in order to maintain international peace and security (United Nations, 1945). The security of international peace was in the hands of the winning powers of the Second World War. The principles included differentiating between the UN and the Axis powers. Aggressive actions of the Axis powers in international relations before and during the Second World War, and their domestic political developments caused by fascist and Nazi ideology, legitimized the

arguments of the Allied powers. The Second World War was not the only incident that caused genocide or war crimes in history. Still, the principles and structure of an international organization aiming to maintain global peace and security are based on the states' roles in this specific war. The authority given to the Security Council and the permanent members was rooted in the incidents that took place in the Second World War.

Similar to the LON, the UN was also founded mainly by the winning powers of the war. However, unlike the LON, the winning powers of the war were governed by different ideological systems: the USSR was governed by communist ideology, and the Western bloc have capitalist system. Communism and socialism were alternative systems to capitalism. Some states, such as Yugoslavia, the USSR, the People's Republic of China, and Cuba, were governed by these ideologies during the Cold War. The difference between political systems made the interests of the winning powers and members different from each other in some points. Therefore, the main element of the new international system was the balance of power based on the bipolarity caused by the two central ideological systems. The powers with similar ruling systems acted together during the Cold War and in two blocs; NATO and the Warsaw Pact formed these two blocks. The economic, military, and political power of these two blocks was very remarkable, and both would be able to damage another side heavily in a war situation. In this era, there was a balance of power between these two sides, and as a result, there was no direct action of war between the major powers of these sides. However, there were proxy wars, such as the Spanish Civil War, and wars between asymmetrical powers as in Vietnam. The powerful states of both sides had nuclear weapons, and it prevented a direct war against each other.

When the Second World War ended in 1945, a significant incident happened caused by the USA, which was the nuclear bombardment of Japan, and this incident was the beginning of the nuclear era. This incident was a remarkable example of the clear contrast between the principles of the UN and the practices of a significant permanent member of the Security Council. Also, this incident paved the way for the rise of the nuclear disarmament principle in the following decades. The UN-sponsored 18 Nation Committee on Disarmament was established in 1961, and the Treaty on the Non-Proliferation of Nuclear Weapons was signed in 1968 to, first, limit the number of states who own nuclear weapons and then aim to accomplish the disarmament of nuclear weapons for all states. However, even though the agreement was signed by almost every member state of the UN, there has still been instances of nuclear armament, and the process never passed to the nuclear disarmament stage for all permanent members of the Security Council. Today, all five permanent Security Council members, have nuclear weapons, and states that had crucial roles in the Cold War era have nuclear weapons as well. As a result, there is a mission for nuclear disarmament (UN General Assembly, 1961) in principle. However, it is practiced as stopping other states who do not have nuclear weapons from building them, but destroying the nuclear weapons of the states who already have them is not practiced. International organizations and principles have been shaped and executed by powerful states again. This power structure in the nuclear disarmament example also affects the practicing of international principles.

The Cold War era was shaped by a bipolar system and a nuclear balance of power between two sides. The situation made military actions harder against other

bloc members than they would be today because the great powers of the two blocs would not let others take action in the areas under their influence. Also, they had nuclear threats, as mentioned, making these kinds of involvements more complex. As well as interactions between the two blocs, the blocs' great powers, which can be mainly identified as the US and USSR, took military interventions in their bloc easily. The politics inside blocs were like domestic issues of these great powers because of their political and economic influence and military power. The invasion of Czechoslovakia by the USSR and the coup in Chile with the assistance of the U.S. are examples of this issue. Both actions were made apparently because of ideological reasons. The great powers of the two sides were imposing their ideologies and principles to their area of influence. After the Cold War era, the world became almost one bloc, the liberal capitalist bloc. Thus, liberal principles were imposed on all states more easily after the Cold War. The U.S. and Western states imposed their interests and principles on the international system more easily. This led to the disappearance of the Western powers' obstacles to involve the politics of the other blocs and impose their interests and principles against them. The world became like the domestic politics of the great Western powers, and no state or bloc could be an obstacle to these powers, except some regional powers like Russia or China. Also, Russia and China became more powerful after the 2000s, but from the end of the Cold War to the 2000s, Western powers had a hegemonic position in international relations. The Responsibility to Protect concept also emerged during this period, influenced by these political structures and liberal principles, which were dominant values of the time. Thus, international principles should be analyzed for these kinds

of political circumstances. The UN's mission and structure are also shaped by the political environment of the time the organization was founded.

The main mission of the UN is maintaining international peace and security; however, there are supporting principles, such as international cooperation, disarmament, free trade, freedom of speech, freedom of worship, human rights, international law, responsibility to protect, and others. In the San Francisco Conference, the International Court of Justice was also founded "based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security" (UN, 1943). The International Criminal Court against war crimes, genocide, crimes against humanity, and the crime of aggression in 1998 was also founded, along with the Rome Statute (International Criminal Court, 2011). With these instruments, the missions of the UN are mainly attempting to maintain international peace, security, and justice. However, the mission is not separated from international power structures, and the organization's structure depends on state actions.

3.3 Structure of the United Nations

The structure of the UN consists of five main organs: the General Assembly, the Security Council, the Economic and Social Council, the International Court of Justice, and the UN Secretariat; the UN Secretariat does not have an executive role. The General Assembly is one of the key organs of the UN, along with the Security Council. The General Assembly includes all member states, and they have equal votes in this organ. The General Assembly has roles in subjects including the budget

of the organization, protecting international peace and security, and electing non-permanent members of the Security Council to discuss every issue of international peace and security, but the organ still does not have a binding force in any issue, and their works play mostly a recommendation role. If the majority of the members are willing to decide on something, they can have an impact; however, because of power dynamics and the crucial role of the Security Council, a decision cannot be made against any permanent member states in almost every case. Also, the members of the General Assembly can only use their votes if they do not have any debt on dues for more than two years, but if the debts grow outside the will of that member state, the member state can vote. Economically developed countries can influence states with poor economic conditions by giving them loans, and this is not the only way to impact decisions. Trade agreements, investments, and military assistance are also on the table for bargaining. The dynamics of international relations, the interests of states and governments, and economic dependency affect the decision-making process, which creates distance between facts and principles on one side and practices and decisions on the other. States with significant economic, political, and military power mostly shape the UN principles and practices.

However, in some instances of practice, some minor states can unite on some issues and influence the General Assembly. Non-Aligned Movement is an example of this kind of movement. This movement was an alternative method of international relations, based on respect for domestic policies, non-aggressive and peaceful relations, mostly in the 1960s and included many countries from Africa, South America, and Asia as a result of the impact of the decolonization process covering these regions and many new states being founded and gaining their independence

from colonial powers. However, economic and political circumstances changed with time, and as a result these states could not make decisions independent as before. The Cold War period was an opportunity for these movements because there was an alternative system for both sides and different ideas on ruling systems and international relations. However, after the '80s, with the increasing influence of neo-liberal economies and the weakening socialist economies, the alternative system collapsed. At the end of the Cold War era, there was no alternative model anymore. Those who already had a powerful economic system as capitalist states took advantage of having more political influence.

The Security Council is the most critical organ of the UN; it executes the organization's main missions to protect international peace and security. As mentioned before, there are five permanent members of the Council, who are the winning states of the Second World War, and they have veto power. There are 10 other temporary members, whom the General Assembly assigns by two-thirds of the votes of an election. All 15 members have equal vote at the Security Council. The Security Council voting procedure is peculiar in that decisions are taken by a majority of 9 members, while there has to be unanimity or consensus among the five permanent members for the decision to be adopted. Two of the five, China and the USSR, were ruled by communist regimes during the Cold War period. China was not a communist state when this right was given to them in 1945. From 1949 to 1971, the People Republic of China (PRC) could not be a member of the UN or the Security Council because the policies, mainly of the Western Bloc powers, were against PRC membership. Thus, the Republic of China (RC) represented China's membership during that period, but in the '70s, the Western bloc powers changed their policies

against the PRC, and the PRC became a member of the UN and the owner of the veto power in the Security Council. During the RC membership period, veto power was used only one time in 1955 (UN Security Council, 2004), after the PRC became a member. From 1972 to 1997, there was only one veto usage of the PRC. However, after 1997, mainly after 2007, China used the veto power many times. The change in China's political and economic conditions and the increase in veto power use illustrate that states have to have some economic and political power to use it. The PRC increased its influence in the international system by experiencing massive economic growth after the 2000s.

In contrast, when the Russian Federation was founded in 1991, it became the successor state of the USSR and took over the veto power. However, they were dealing with economic and structural problems within the country; thus, they were not effective and powerful enough to follow their interests, unlike the USSR government of the Cold War. Also, the Russian Federation only used their veto right a few times against others in the first years of their foundation. After they overcame their economic problems and built their new capitalist system, the Russian government was able to produce more independent policies for their interests in the Middle Eastern and central Asian regions, as well as in many other places. When the Russian state became an imperial power again, they also remembered their veto right. Consequently, having the veto right is related to the power of states in international relations, but being able to use it is also related to it. Even if the states who already have veto rights in the Security Council could not use their right because of economic, political, or military pressures against them, they would not get over this pressure (UN Security Council, 2004).

On procedural matters, just nine major votes are enough to make a decision; in this kind of issue, veto power is not valid. However, on all other matters, a minimum of nine votes must be put forward without permanent member's dissenting. Moreover, because of the uncertainty of whether matters are procedural or not, the members of the Council decide the type of the matter by voting. In this voting process, the permanent members have veto power again; this leads to double veto power for permanent member states.

There are many issues worldwide causing deaths, human rights violations, and conflicts between states and other political actors, which are described as terrorists by states. However, all these issues are described the Security Council by one of these four descriptions: "question," "matter," "situation," or "dispute," and these descriptions affect the actions as well as the system of voting for the actions (Denk, 2015, p. 183) because of the principle by the Charter of the UN, Article 27/3, which says, "A party to a dispute shall abstain from voting" (UN, 1945). However, the Security Council members could decide an issue that is not a dispute, and still use their veto power while they are a part of a dispute. These principles and how they are practiced show that power is the main factor behind how issues are examined, how actions are taken, and how decisions are made.

When it comes to protecting international peace and security, the Security Council takes the limits of its action from Chapter VII of the Charter of the UN (UN, 1945). The chapter starts with a title that includes concepts such as threats to peace, breaches of peace, and acts of aggression. Therefore, in these three cases the related articles become valid. However, the concepts are undefined and unclear; thus, Article 39 of Chapter VII says that the Security Council determines all these cases. In other

ways, the Security Council determines aggression, threats to peace, and breaches of peace. This article gives a very large scope for the Security Council, especially the permanent members, to take action in significant situations. In this way, permanent members can decide on issues and activate all members in favor of their policies or block others from taking action on serious issues. Articles 40 and 41 say that the Security Council can decide to take provisional measures and intervene in economic, diplomatic, communication, or transport relations with the party of the issue and may call to apply these measures to other members of the UN. In this case, determining a serious issue is limited to the Security Council, but other members must also apply these measures after the determination. Articles 42 and 43 say that if the previous articles are not enough to solve the problem, the Security Council can restore peace and security through force, blockade, or operations. All these articles show that the Security Council has massive capability to define and act on the issues, and it seems like the Council is the head of the international system, and all the world is subject to it. Considering the structure of the Council and how it was built after the Second World War, this scope gives powerful states a remarkable role in international system, by the UN.

According to the Charter of the UN, Chapter VIII, Article 52, member states are allowed to establish regional agencies to maintain international peace and security, such as NATO or the Warsaw Pact. During the Cold War era, these two collective defense organizations applied policies related to their blocs in the bipolar world system. The organizations were obliged to take actions according to UN principles and inform the Security Council about their actions. The two organizations were fundamental to the bipolar world system, and they were instruments to make

superpower states consolidate their blocs and bloc policies. One of the reasons of founding NATO was the claim that the Western Bloc was preventing the Soviet Union's UN system by veto power, and the Warsaw Pact was founded in response to that. According to Kaplan's study (1998, p.332), the U.S. Senate argued that NATO was as an instrument that would make the UN Charter work despite the Charter's crippling handicaps. The handicap was mainly the veto power of the Soviet Union. The U.S. policies saw the veto power of the Soviet Union as an obstacle to operating the UN by their policies. Because, from 1945 to 1949, the veto only used by USSR in the Security Council (UN Security Council, 2004). This mentality shows itself in the actions of the two sides during the Cold War; both sides used NATO and the Warsaw Pact for their operations, and the UN was mainly quiet about the actions of these powers. However, there are no two blocs today in the international system, and the Cold War era ended 30 years ago. The conditions have changed, and changing conditions also shape actions. The practices of the UN are affected by international power and are related to the organization's structure and mission. The role of the Security Council is crucial in this mission of the UN. The Responsibility to Protect concept will be analyzed as a practice of the UN in the next chapter of this study.

CHAPTER 4

RESPONSIBILITY TO PROTECT

4.1 Logic of the concept

One of the primary missions of the UN is maintaining international peace and security, but the main structure of the UN is about preventing state-to-state issues. The issues happening within a sovereign state are not covered by UN activities because of the principle of not intervening in internal affairs and not violating the sovereignty of a state. However, the international structure changes with the power dynamics of different circumstances. For example, the Second World War changed the balance of power and the international structure, which led to the UN being founded as an international organization. Through this process, the winning powers of the Second World War played a crucial role in the foundation of the UN, and the same powers hold permanent membership in the Security Council. Immediately after, international politics were divided into two blocs, and the balance of power was shaped by these conditions, as mentioned in the previous chapters. However, these circumstances changed by the end of the Cold War. The liberal capitalist system became the system for almost every state. The major powers from the Western Bloc benefitted from this transformation in the international system because of their crucial place in the international liberal-capitalist economic system. The end of the Cold War era also opened some political space for the Western Bloc, especially for the USA, which resulted in more influence on international organizations' decision-making processes with the lack of political obstacle from

opposite bloc. This was because of the changing conditions on the international balance of power in favor of the Western states after the Cold War era.

In this period, the Responsibility to Protect concept emerged. When one bloc becomes more powerful and one type of ruling system becomes globally hegemonic, then complex dependency leads to domestic issues becoming international. Within the bloc policies, relations already included some domestic issues of the states. However, after the Cold War era, the whole world became almost one bloc, and many states became open to interference from the powers, which they are dependent on asymmetrically. With these circumstances, the Responsibility to Protect concept led to a reassessment of state sovereignty, connecting it to the principles and defining it as a responsibility.

UN Secretary-General Kofi Annan put forward a question about issues surrounding the high violation of human rights and what can be done at the international level to prevent these kinds of issues (Secretary-General, 1999). Thus, the International Commission on Intervention and State Sovereignty (ICISS) took on this question (International Commission on Intervention and State Sovereignty, 2001), leading to the emergence of the Responsibility to Protect concept to address these issues, and argued that sovereignty is a responsibility with conditions. According to this concept, if a state fails to protect people from violations, genocides, war crimes, ethnic cleansing, and crimes against humanity; then the international community is responsible for protecting their populations from these violations (UN General Assembly, 2005). It does not mean that military intervention is necessary immediately, but there are other preventive actions before this step in the concept. If a state is failing to protect its population from mass atrocities, the

international community is obliged to act by offering assistance to the state, which can include economic assistance, the rule of law reform, and building political institutions. After these steps, if the state continues to fail to protect its population, sanctions, arms embargoes, and finally, military intervention will be taken at the consideration of the UN Security Council (ICISS, 2001).

The military intervention can be made by Security Council decision, and to make it; there has to be no veto vote from the five permanent members. This condition relates the practice of the concept to these five permanent members of the Security Council directly because any decision these states do not accept will not be put into practice. The situation is crucial because the concept puts forward a different understanding of sovereignty, which can be ignored under certain conditions, and the decision in such cases will be made by the five permanent members of the Security Council. In this case, these five states' international political structures and political conditions are influential factors in the Responsibility to Protect concept. The concept emerged from the conditions in which the Cold War era ended, and the USA was the leading power of the Western Bloc as the winning power of the Cold War era. In these conditions, there was not an effective political obstacle against the Western Bloc policies within the Security Council immediately after the end of the Cold War, thus, the opposition against the concept based from Russia and China were not politically much effective, during that period. However, Russia and China increased their role in international politics over time. Also, in some cases, the Security Council is involved more in international politics with different interests from the Western states. The different policies between Western states and others are also valid in the Responsibility to Protect concept. From this perspective, with the

demands of both Russian and Chinese governments on enabling veto power to exercise the concept and restricting human rights violations to take action (Dagi, 2020, p.377), two significant revisions were made to the concept at the 2005 World Summit (UN General Assembly, 2005). First, the military intervention process was made dependent on the UN Security Council's decision; in this way, the military intervention part of the concept could not be implemented without Russian and Chinese approval in the Council. Second, the definition of mass atrocities was reduced to four crimes, as mentioned before (Dagi, 2020, p.377). By these changes, the Russian and Chinese governments attempted to avoid unilateral military interventions from Western states without approval of the Security Council and to limit military action to more restricted circumstances.

The skepticism of Chinese and Russian governments toward the Responsibility to Protect concept is based on humanitarian intervention experience in practice (Dagi, 2020, p.373). After the end of the Cold War era, there were humanitarian crises, such as the Yugoslavian Civil War, Rwandan Civil War, and Iraq's aggression toward Kuwait, leading to the humanitarian intervention of the Western states without the Security Council's approval. The bombing of Serbia in the Kosovo crisis in 1999 increased Russian skepticism of Western military interventions based on humanitarian purposes. Kosovo was strategically important for the Russian government because of their political influence over the Serbian government, making this intervention a critical breaking point for their foreign policy on these kinds of human rights issues and actions against it. NATO intervention in Kosovo created a debate on how to deal with humanitarian crises if the Security Council blocked the taking of action. The bombardment itself caused around 500

civil casualties (Koskenniemi, 2002, p. 161). Thus, there is a paradox about protecting human life, in this case from a moral perspective. From a legal perspective, the NATO bombardment created a path to bypass international law and legal processes to intervene in these kinds of human rights violations conditions for moral purposes. The NATO intervention in Kosovo was neither authorized by the Security Council nor in accordance with the conditions of self-defense according to Article 51 of the UN Charter. In this case, Russia denounced the NATO bombardment as an illegal and dangerous policy of dictating force while threatening international law (Krisch, 1999, p. 84). However, at the same time, the Russian government later used similar arguments to justify their intervention in Crimea (Kuhrt, 2015, p. 104). The implementation of the Kosovo bombardment by NATO increased skepticism of the Russian government toward unilateral military action by the Western powers and to the concepts such as humanitarian intervention and Responsibility to Protect, which were used for justifying these actions from Western states (The Ministry of Foreign Affairs of the Russian Federation, 2000).

There are some arguments from Russian government put forward against the Responsibility to Protect concept in theory. First, the Russian government claims that the Responsibility to Protect concept can be used by regime changes in favor of the Western powers' interests, and the example they put forward is the Libya case, which will be examined in detail in relation to the concept in practice (Piskunova, 2018, p. 4). Also, the Kosovo case was an example of interfering with domestic policies of a sovereign state and territorial integrity (International Court of Justice, 2009, p. 31). For the Russian government, state sovereignty has a central position in international law, and territorial integrity is also a crucial concept that should comply with all

states. For the Russian government, the Responsibility to Protect concept can damage state sovereignty and territorial integrity in favor of the Western powers (The Ministry of Foreign Affairs of the Russian Federation, 2013). The Russian government also argues that the Responsibility to Protect concept as an international norm weakens state sovereignty and justifies unilateral military actions of the Western states (Baranovsky & Mateiko, 2016, p. 52). The points that the Russian government underline about the Responsibility to Protect concept gives an argument that the concept can be used as an instrument for powerful states to increase their influence in international relations by giving a legal base to interfere in domestic issues of other states. However, the Russian government also agrees that sovereignty should be understood as a responsibility to protect populations from mass atrocities (Ziegler, 2016, p. 82). The moral perspective on the Responsibility to Protect concept is remarkable for international relations, and the Russian government is not rejecting this perspective. However, in power politics, the question is how to determine the level of the atrocities to take action, who would implement it, and how to address the questions that the Russian government has asked the international community (The Ministry of Foreign Affairs of the Russian Federation, 2017).

The Chinese government also has similar arguments to the Russian government in relation to the Responsibility to Protect concept. Chinese policies were also closer to the principle of nonintervention and non-use of military force for many years (Garwood-Gowers, 2012, p.2). From this perspective, the Chinese government argues about weakening sovereignty as the Russian government does and has skepticism about Western powers using the concept to enhance their roles in international politics. The Libya case has increased these doubts about the concept

for the Russian and the Chinese governments. However, neither Russia nor China vetoed the military action to Libya in the Security Council besides emphasizing their position on the Responsibility to Protect concept. This will be analyzed in detail in the discussion on the Libya case. The changes in the concept at 2005 World Summit gave China the chance to veto any action made by the Responsibility to Protect concept. It also increased China's responsibility in the decision-making process of humanitarian crises and increased the international pressure on their policies on these issues. To conclude, the Russian and Chinese governments have similar theoretical and practical concerns about the Responsibility to Protect concept. The theoretical arguments against the concept include the weakening of sovereignty, interfering in domestic issues, damaging territorial integrity of the state, and enforcement of unilateral policies by understanding the concept as a norm. Also, in practical issues, they are both skeptical of making the concept instrumental for Western powers to accomplish their interests, change regimes, and cases, such as Libya and other humanitarian intervention examples from the '90s, strengthen their arguments. For the Russian government perspective, the Kosovo case is an example on how Western powers intervene Russia's partners and weakening the Russian influence in the region (Dagi, 2020, p. 377). However, protecting populations from atrocities is not a moral perspective to reject, even for these states.

The moral perspective on the Responsibility to Protect concept is a very significant issue in addition to state sovereignty and power structure in international relations. The Western states emphasize this part to achieve their interests at the international level; however, preventing mass atrocities is a crucial goal for humanity. The Kosovo case was defended by this perspective from Western scholars

and governments, even though it is not a legal intervention in international law (The Independent International Commission on Kosovo, 2000). They were right from a moral perspective. This kind of perspective finds its roots in the just war theory, which argues that states can use force for a just cause and with good intention as a solution to end an unjust situation but not make it worse (Prat & Saxon, 2015, p. 140). However, it is necessary to have the right authority to make a just military action using this argument, which was missing in the Kosovo case. International law is not above state authority. States can take shelter behind it while blocking a morally necessary action or causing human rights violations without facing consequences at the international level. However, the states can use moral arguments and international principles to accomplish their interests while not breaking international law. Also, in some cases, states who play a major role in power relations of the international structure can make these military actions standing on moral perspectives without a legal basis. The position of the dominant states are not static in international relations or in international law. However, they calculate the costs of their actions to approach international law as instrumental for their interests or to accomplish their aim without using the law (Borgen, 2015, p. 235). Either way, the power conditions of the state and the international structure play a determinative role in these actions, and the Security Council gives a privileged role to the states who have veto power. However, the power of these states is based on economic and technological developments. These states avoid using veto mostly not to block international politics on humanitarian issues unless it is not directly related to their crucial political partners and interests. The state policies in Security Council

resolutions on the responsibility to protect issues will be analyzed with the related resolutions in the next part.

As a result, because of the role of the five permanent members of the Security Council in practicing the Responsibility to Protect concept, changing international structure and balance of power are determinative on practice and defining the issues in the Responsibility to Protect concept. However, as a mission, the Responsibility to Protect concept has a positive understanding of the sovereignty of a state by defining it as the responsibility of protecting its population from atrocities. It is crucial because preventing atrocities is more important than state sovereignty. However, in practice, mainly five permanent members of the Security Council involve either implementing the concept or blocking it. Thus, the practices of the concept, shaped by the issues of the five states involved and the international structure of these conditions, will be analyzed in detail in the section on practices.

4.2 Practices of the concept

The Responsibility to Protect concept emerged after two significant incidents: ethnic cleansing in Kosovo in 1999 and genocide in Rwanda in 1994. These two incidents played different roles in the discussion of the Responsibility to Protect concept. The Kosovo incident was a special case in which NATO used military power without a decision from the Security Council. The action of NATO was argued both as a violation of international law and a prevention of ethnic cleansing (ICISS et al., 2001). The Rwandan genocide was a different example, in which a mass atrocity could not have been prevented by the international community. Around 1,000,000 people died caused of the genocidal policies of the government in Rwanda

(Guichaoua, 2020). Because the international community was unable to prevent the genocide, this incident also became a reason to discuss the Responsibility to Protect concept. However, the US government and NATO contended that the Kosovo intervention was made for humanitarian reasons, while there was no action for the Rwanda crisis. The reason behind this divergence in actions in similar humanitarian conditions is related to the interests of the powerful states.

The concept emerged under the influence of these two issues, and after the concept emerged, there have been incidents due to which the Responsibility to Protect concept has been discussed. The cases selected are related to the five permanent members of the Security Council, as mentioned before, and all cases have different types of relations to the Responsibility to Protect concept. The cases that will be analyzed in this part as practicing or not practicing the Responsibility to Protect concept includes Syrian, Libyan, Yemeni, Crimean, and Chinese issues specifically and all other cases related to resolutions and cases discussed in the Security Council. In all these cases, there are different political circumstances, vetoes, actions, and interests of the five permanent members of the Security Council.

The Crimean case does not fit a practice of the Responsibility to Protect concept; however, it is a unilateral action like the Kosovo case, and the Russian government used similar motives in this case. It is interesting because the Russian government criticized the Kosovo interventions in many ways but, they weakened state sovereignty, took illegal action without the Security Council's authority, and caused civil deaths. However, the Russian government used humanitarian reasons for the Russian population living in Ukraine and the argument of the self-determination principle against the Crimean people (Borgen, 2015, pp. 236–237). Vladimir Putin

described the situation in Crimea as residents' call for help in defending their rights (Putin, 2014). According to the Russian perspective, the referendum made by the Crimean people to join Russia and its people was the use of their self-determination right. Also, the national link between Russia and the Russian people living in Crimea was another attribution of the Russian government on this issue. The Russian government separated the Kosovo intervention from Crimea with the referendum (Lavrov, 2014). Both actions held moral arguments behind them; however, neither were legal in international law. The Crimea case shows that the Russian government argued for sovereignty in the Responsibility to Protect concept; however, they did not fully respect Ukrainian sovereignty. Also, two draft resolutions came to the Security Council on this issue. First, it called all states to respect the sovereignty and territorial integrity of Ukraine and stated that the referendum on Crimea is not valid because it is not authorized by Ukraine (S/2014/189, 2014). The second was related to the crash of Malaysian flight and war crimes; however, both resolutions were vetoed by Russia (S/2015/562, 2015). This is an example of how states act differently for their interests on similar issues and relying on the same principles.

In the Syrian War, from 2011 to 2021, there were many atrocities that happened to many different ethnic and religious groups, such as the Yazidis, Kurdish, Sunni, and Shia, by various actors, such as the Syrian National Army, El Nusra, Islamic State of Iraq and the Levant (ISIL), and Free Syrian Army. The interests of the five permanent members of the Security Council are remarkable points for understanding the UN actions for Syria and how the Responsibility to Protect concept has been insufficient for conflict of interests in the Security Council. It is key to understand why the responsibility to protect resolutions were vetoed for

Syria by Russia and China (Security Council Veto List, 2021). According to the Global Center for the Responsibility to Protect (2021b),

Since 2013 the UNSC has passed 25 resolutions on humanitarian access, peace talks and chemical weapons in Syria. Several refer to the government's responsibility to protect populations, but none have been fully implemented. The Syrian government has violated various UNSC resolutions directly, and Russia has systematically shielded Syria from accountability measures.

Russia and China have jointly vetoed ten draft resolutions and Russia has independently vetoed a further six resolutions (Security Council Veto List, 2021). The vetoes of Russia and China and the Russian military involvement in Syria for Bashar Asad's government against dissidents of the regime shows that Russia and China have interests in Syria. Russian-Syrian relations have been positive for many years. The Syrian regime has had a close relation to Russia's government since the father of Bashar Asad, Hafez Asad, planned a coup and took control of the regime on 22 February 1971. Since that day, the Russian and Syrian governments have made many trading and military agreements (Kozhanov, 2014 p. 315). Even after regime changes in Russia in 1991, their close relations have lasted to today. Russia has many military bases in Syria, and their companies have lots of investments as well. There has been a Russian naval base in Tartus, Syria since 1971, and it is very crucial for Russia to have this base because it is the only Russian military base in the Middle East. Russia also has air bases in Latakia, Syria, and the Syrian National Army buy weapons from the Russian government (Weitz, 2010, p.30). This is interesting when it comes to the Responsibility to Protect concept because the forces of the Asad regime violated various human rights during the Syrian Civil War (UN General Assembly, 2011), and these issues were included in the resolutions for the Responsibility to Protect concept of Syrian populations and especially about using

chemical weapons, which Russia vetoed in the Security Council (Security Council Veto List, 2021). As a result, the Russian government has crucial political interests in the Asad regime and in its partnership, which might be one reason for its vetoes of the resolutions. Because 16 of the last 30 draft resolutions vetoed in the Security Council since 2006 were related to Syria and all of them was vetoed by Russia (Security Council Veto List, 2021).

However, Russia is involved in the Syrian Civil War through military interventions in Syria, and this situation shows that in the Responsibility to Protect concept, the conditions of the Security Council are decisive, but in practice, both Russian and the U.S. militaries are involved in the war without a joint decision from the Security Council. However, Russia's case is different because they are involved in the war by permission from the host state. Russia joined the war to stop ISIL terrorism and support regime forces against these terrorists (BBC News, 2015a).

Unlike in Iraq, the US government is not directly involved in the war with many forces to control the area, but they are giving assistance to local parties in the war in order to stop ISIL terrorism. There have been human rights violations, civilian deaths, and war crimes from all three military actions of the U.S. and Russia. (Human Rights Watch, 2004; Paust, 2005; Khawaja, 2012; Amnesty International, 2016). In this case, the actions made to prevent war crimes are also causing war crimes, and that is the case when permanent members of the Security Council are involved by using their power in the organization and not through the Security Council. However, these actions support the parties of a civil war, which are also causing war crimes, and because of these issues, both involvements are discussed as a violation of international law (Bannelier-Christakis, 2016, p. 770).

In the case of Syria, both Russia and the U.S. governments are involved in the issue in favor of different parties of the war and are not taking direct military action against each other. They have both made actions against terrorism from their perspective, but the concept of terrorism, or defining the boundaries of terrorism and the limits of fighting against terrorism, determines how the actions will impact the issue. Also, the concept of terrorism can include a racist perspective with parallel government policies (Patel, 2017, p. 4).

The political structure of the five permanent members of the Security Council changed from the date the UN was founded until to now. The concept of terrorism can also change according to international political structure and political conditions of the governments of these five states. Taliban is a good example for this argument, because the U.S. government was supporting Taliban during 1980's in their war against Soviet Union, but after Soviet troops retreated from Afghanistan, Taliban's position also changed in U.S. policies (Coll, 2005, p. 62). The reasons and incidents affected emerging from the political powers that are defined as terrorists are crucial to analyze. The actions against human rights, such as U.S. actions in Iraq or torture in Guantanamo, lead to increase of terrorist movements. Also, the argument of fighting against international terrorism can justify unilateral actions in the international structure. Thus, fighting against terrorism but causing human rights violations creates terror again. However, the definition of terror can change according to the political interests of the governments. For instance, China defines terrorism dangerously but, the Uyghur citizens of China experience atrocities in the reasoning of prevention of terrorism. Russia defines dissidents of the Asad regime as terrorists and war criminals, but the regime they support has also committed war crimes, according to

Amnesty International (2020b). Russia used vetoes to prevent international action for Syria, but the Russian government was involved in the war on behalf of the Asad regime. China also vetoed military action by reasoning with respect toward Syrian sovereignty and the belief that political solutions include all parties of a conflict (Gegout & Suzuki, 2020, p. 391). However, neither Russia nor China vetoed the Libyan intervention.

Russia and China did not veto the resolution for Libya; however, military intervention in Libya became an opposing argument to the Responsibility to Protect concept. In order to prevent civilian deaths caused by the Kaddafi regime, UN Resolution 1973 was adopted by 10 affirmative votes (Bosnia, Colombia, Gabon, Lebanon, Nigeria, Portugal, South Africa, France, United Kingdom, United States) and five abstained votes (Russia, China, India, Germany, Brazil) at the Security Council (S/RES/1973, 2011). The resolution banned flights over Libya and calling for taking all necessary measures to prevent attacks on civilians by the regime. The intervention implemented by NATO forces caused a regime change and many civilian deaths (Human Rights Watch, 2012).

The Kaddafi regime used to have close relations with the Russian government; however, Libya was not as crucial as Syria to the foreign policy of Russia. Libya, like Syria, was also buying military equipment from Russia (St John, 1982, p.133). However, there was not a Russian base in Libya, and the Russian government did not support the Kaddafi regime as much as the Asad regime. Before the NATO military intervention in Libya, the Russian government also declared that the Kaddafi regime lost legitimacy (BBC News, 2011). When the Russian government voted for Libya resolution in the UN, they did not veto the intervention

as they did in Syria. Essentially, this was because the Responsibility to Protect concept had been recently implemented, and the concept was claimed to be humanitarian. The conspiracies claimed by the Russian and Chinese government after the intervention were not yet there present, and if Russia had vetoed it then, their intentions would be questioned because they would be stopping a humanitarian mission to preventing civilian deaths. The U.S. government used humanitarian reasons and terror arguments in the Libya intervention, and the danger of the collapsing state while the terror movements were expanding (Congressional Research Service, 2020). However, the intervention not only caused civilian deaths but also did not help to resolve the conflict. Instead, there is still an ongoing civil war in Libya. The resolution for Libya passed from the Security Council, but the military intervention made by NATO created an opinion for the Russian government against these types of global actions. (United Nations Security Council, 2011).

This situation led to much criticism to the Responsibility to Protect concept from the permanent member states of the Security Council, especially Russia and China. The government of Russia claimed that the Responsibility to Protect concept aims to use Western powers to gain strategic influence (Dagi, 2020, p. 372). The Chinese government also criticized the NATO intervention in Libya and claimed that the concept favors the USA and Western states, which get involved in internal politics and regime changes for their interests (Garwood-Gowers, 2012, p.2). Also, even if the intervention aimed to rescue civilians from atrocities, the NATO intervention in Libya caused many civilian deaths (Human Rights Watch, 2012).

The international political structure during the Libya issue and the political conditions of the five permanent member states of the Security Council affected

decisions and actions. The Responsibility to Protect concept was practiced as military intervention in Libya, and it was a failed action that caused Russian and China to question the concept. Thus, it affected their positions on the Syrian issue. The five permanent members of the Security Council were involved in another important issue, the Yemen Civil War, during almost the same time as the Libya and Syria cases.

In Yemen, there has been an ongoing civil war since 2011. After the Arab Spring protests in Yemen, there was a government change; however, Abdurabbu Mansur el-Hadi was from the same political origins as the former Ali Abdullah Salih government. This was not a satisfactory reform for shia Houthis, and they rebelled against the government, which led to a civil war. During the civil war, Saudi Arabia got involved and made military operations to stop Houthis; however, their intervention and bombardment led to many humanitarian crises. The Saudi forces were accused of killing thousands of civilians during their intervention which started with the Hadi government's call for Saudi forces to protect the Yemeni people (BBC News, 2015b). Atrocities were committed by Saudi military involvement in Yemen, and the Security Council did not prevent civilian deaths caused by Saudi intervention. Also, the UK and the U.S. governments traded arms with the Saudi government during the war (Smith, Brooke-Holland, Dempsey, & Harker, 2020). The U.S. and China are also two states from which the Saudi government's three largest imports are from, and in Saudi exports, these two states are in the top five (OEC, 2019b). These trading relations and the massive economic power of Saudi Arabia could be a reason of preventing the five permanent members from taking action against Saudi Arabia.

As a result of these three cases, it can be seen that the five permanent members of the Security Council can act not necessarily based on atrocities and the Responsibility to Protect principles, but every member state acts when their military, political, and economic interests are paramount. The responsibility to protect is a concept for preventing war crimes, crimes against humanity, and genocides, and it has stepped before military intervention to prevent these atrocities. However, from a legal perspective, the UN Security Council was also bypassed by states taking military action by using the argument of the responsibility to protect and doing it without agreement from the Security Council. The Responsibility to Protect concept can be stopped by veto in the Security Council; however, the permanent members of the Security Council can still take military actions by using the main argument of the concept. Also, the economic and political determinants of a situation, for instance, Saudi-U.S. relations, affected the U.S. government's actions in Yemen. The U.S. government did not act to prevent atrocities that the Saudi government committed. The UN Security Council could not decide together on a humanitarian-based intervention when the members had opposite interests or interests in favor of the perpetrator of the atrocities. Also, the concept aims to prevent atrocities using many political methods, but military intervention is the last option. However, military intervention was made without a Security Council decision in practice, and the concept was used to reason the political agendas while these interventions were causing atrocities (Bellamy, 2008, p. 621). In another case, the atrocities were committed by a permanent member of the Security Council, China, wherein the UN and the Responsibility to Protect concept became insufficient.

China is one of the permanent members of the Security Council. As mentioned earlier, the veto power itself is controversial; however, China has a different position regarding atrocities and the Responsibility to Protect concept, which is capability of preventing international actions against itself by political power and structural conditions in the UN. In addition to the fact that the Chinese government makes decisions as a member of the Security Council about countries experiencing atrocities, China itself has similar problems within the country. For many years, many civil rights violations have taken place in China; however, the last few years have been very negative in human rights violations focusing on one ethnicity: Uyghurs (Amnesty International, 2020a). Uyghurs are the Muslim and Turkic population living mainly in China's Xinjiang Autonomous Region. Because they are from a different ethnicity and religion, they have been targeted by many inhumane policies over the last few years. The Chinese government has established a working camp to assimilate Uyghurs and adapt to their system (Global Center for the Responsibility to Protect, 2021a). The existence of the camps led to some discussions in the UN but never became a subject of Responsibility to Protect. Most Western states were against these policies, and 22 countries made a statement against the Chinese camps at the UN; however, 50 countries responded to this statement with a supportive counterstatement for the Chinese government (Human Right Council, 2019).

The states which are against the Chinese policies for the Uyghurs and the supportive ones are very predictable. The ones usually act together against Western powers in foreign policies, as mentioned in previous cases, mainly act in support of China, including Iran, Russia, Syria, Venezuela, and North Korea. Also, other

supportive states were not political partners with China as much as Iran and Russia, but they were trading partners with China. China has made remarkable investments (Nedopil, 2021, p.11) in them, and they are dependent on China economically, including Pakistan, Turkmenistan, Uzbekistan, Cambodia, Sri Lanka (Shanghai Cooperation Organization, 2001). Other supportive states, such as the UAE, Egypt, Iraq, Kuwait, and Saudi Arabia, are not entirely political partners with the Russian/Chinese bloc or are not economically dependent on China. However, they support them for political and economic reasons. The characteristics of the supportive countries are mentioned to analyze the motivations for their actions in such cases, and it can be claimed that their motivations are not idealistic; they are more about the bargaining of interests.

However, the states against Chinese policies over the Uyghurs are political or economic competitors, such as France, Germany, the UK, the USA, and Japan. Even though they are defending human rights, they have some interests in this action like the supportive states, and their interests may be the main reason for their action, as in the other cases. The actions of these states in other cases, such as Libya or Yemen, could be a good example of these states acting for their interests instead of for human rights or other valuable principles. Of course, it cannot be said that they are only acting for their interests or the claims against China are entirely accurate. It is impossible to know the exact motivation behind the actions of states; however, analyzing their interests over issues and comparing their actions in other cases gives us some clues.

There has been an ongoing trade war between the U.S. government and China (Office of the U.S. Trade Representative Executive Office of the President, 2018).

This can affect the actions and decisions of the parties against each other. Since 19 January 2021, the U.S. government has recognized the Uyghur case as a genocide (U.S. Department of State Bureau of Democracy, Human Rights and Labor, 2021). There are some sanctions against China in this case from Western powers. They define the situation as genocide; however, it is impossible to take any action or make any decisions in the Security Council because of China's veto power. China can block actions against the other countries by using their veto power, and they can block actions taken by the Security Council against their government. In other cases, the U.S. and Russia were involved in military interventions without the decision of the Security Council. However, these interventions were made in places where their militaries would not face difficulties. However, China has nuclear weapons, and second, China is one of the most remarkable financial powers. Other permanent members of the Security Council have crucial economic relations with China. In China's export and import data from 2019, the U.S. has a top-five place in both categories (OEC, 2019a). Because of this, even the first step of the Responsibility to Protect concept, which is economic sanctions, has been practiced in a very limited way against China. However, changing economic and political situations could lead to different conditions. The UN was also founded under a different political structure from today. When the organization was founded, the existing principles were understood by the structure following World War Two. The Responsibility to Protect concept can also be practiced differently in a changed political structure, or it can evolve into a new concept based on the same principles. However, in today's world, states with more economic, political, and military power have crucial roles in practicing and understanding the principle.

Another case concerns some of the five permanent members of the Security Council which have a crucial role Cote d'Ivoire issue. In Cote d'Ivoire, a civil war from 2002 to 2011 caused many civilian deaths and atrocities. In this context, resolution 1528 was approved unanimously by the Security Council in 2004, and the United Nations Operation in Cote d'Ivoire (UNOCI) was established with a mandate to establish a ceasefire, protect civilians, promote human rights and maintain law and order (S/RES/1528, 2004). With the UNOCI mission and in accordance with Operation Licorne by the French armed forces, the civil war slowed down and violence decreased, but following the elections in 2010, the conflict started to rise again. The elections resulted in favor of the opposition party of the conflict. Alassane Ouattara would have taken the president role from Laurent Gbagbo; however, Gbagbo did not accept the election results and did not leave the presidency. This process increased the tension and conflict again, and in accordance with these incidents, the Security Council adopted resolution 1975 in 2011. In order to resolve the crisis peacefully with the cooperation of the African Union and Economic Community of West African States (ECOWAS), the resolution gave authority to UNOCI to take all necessary measures to protect civilians (S/RES/1975, 2011). After the resolution was adopted, UNOCI forces led by the French military started a bombardment in Abidjan against Gbagbo's forces. With these military actions, Gbagbo was captured by Ouattara's forces and delivered to the UN authorities (Branigin, 2011). The Russian foreign minister Sergei Lavrov criticized this bombardment with heavy weapons as it can create more violence and new victims (Isakova, 2011).

In the case of Cote d'Ivoire, the French government's role is remarkable at different levels. Cote d'Ivoire was a French colony before 1960, and after its independence, it continued to have very dependent relations with France. The Franc Zone system is one example of this dependency. With the Franc Zone system, French governments have a crucial role in the monetary and financial policies of Cote d'Ivoire (Martin, 1986, p. 231). Cote d'Ivoire became independent under the political influence of France, and the new post-colonial state was a product of a colonial state, with similar economic and political dependency to France in the colonial period (Ipinyomi, 2012, p.157). France made policies to keep that political and economic influence in these ex-colonies, and due to these politics, France governments have made cooperation agreements, financial assistance policies, and many military interventions to these states, especially in the Cold War era (Martin, 1985, p.191). In one of the military operations of France at the Rwanda War in 1994, French policies failed to stop genocide and created a negative image for French unilateral military operations in Africa. Because of the negative result of the unilateral military operations and financial burden, the French government changed African policies toward a multilateral perspective (Chafer, 2005, p.12-15). Cote d'Ivoire operation is an example of this multilateral military approach of French policies on Africa, and there are other examples such as the Mali case.

After the Libyan crisis, Mali had a civil war with the involvement of the Tuareg rebellion for independence in northern Mali and the terrorist groups who are also actors of the Libya conflict. The UN Security Council has adopted two resolutions, 2071 and 2085, unanimously in 2012 to support Mali military force to regain the area in the north that these terrorist groups controlled. The resolutions

gave authority to African-led International Support Mission in Mali (AFISMA) to take military action to the restoration of territorial integrity of Mali (S/RES/2085, 2012), (S/RES/2071, 2012). Also, the Mali government ask help from France to stop Al Qaida terrorism (BBC, 2013). French started operation Serval, and with the Malian, Chad, and AFISMA armies, the major cities were taken back from terrorist groups (France24, 2013). The operation Serval transformed to operation Barkhane to stop terrorist groups in the Sahel region with the French army and with the participant of five other states of the region; Mauritania, Mali, Burkina Faso, Niger, and Chad. The Barkhane operation is also still ongoing, and it is the largest French operation abroad (S/2020/1332). During this period, the Security Council adopted resolution 2100 on Mali, established UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and gave authority to French troops to support MINUSMA to stabilize the country (S/RES/2100, 2013). There have been seven more resolutions adopted unanimously to call all parties in Mali to comply with the responsibility to protect principles, extend the time period of the MINUSMA, and establish sanctions on some individuals from 2014 until today. The resolutions relating to the responsibility to protect in Mali were approved unanimously every time. The military operations in Mali are against terrorist groups; it did not create controversy like other cases, like Syria. Also, the existence of the French army was related to the call of the Malian government, and it increased the legitimacy of the operations at the international level. However, according to the Report of the International Commission of Inquiry for Mali, war crimes are not only caused by terrorist organizations but also by Malian defense forces committed war crimes by killing many civilians. Also, MINUSMA caused a violation of international law in

some cases (S/2020/1332). Besides the Malian army and MINUSMA, the French airstrike also caused the death of 19 civilians in Bounty very recently (UN News, 2020). However, these incidents have not created opposition to the French position in the mission from international society. France has fewer political obstacles from other powerful states in their ex-colonial regions; because they have politically more related to these countries and have more interests. Other powerful states also have economic interests in the region, but they are not involved in political issues as much as France or the Russian example in Syria. China, for example, had become the largest trade partner and took the lead from France in Africa after 2008; however, they are not involved in politics as much as France in the region. France has connections more than economics in the region, and no other powerful state is willing to take its role politically in the region.

Sudan is another case that the UN Security Council adopted many resolutions related to the responsibility to protect concept. There have been 26 resolutions adopted related to responsibility to protect since 2006 for Sudan and South Sudan, and except seven, all other 19 resolutions were adopted unanimously. In Sudan, there had been a civil war from 1983 to 2005. In 2005 a peace agreement was signed between the Sudan government and southern rebellions. Resolution 1590, which was adopted unanimously, established the UN Mission in Sudan (UNMIS) to support peace agreement, give humanitarian assistance and protect human rights and civilians (S/RES/1590, 2005). Besides the war between southern rebellions and the Sudan government, there has also been conflict in Darfur since 2003, and with the resolution 1769 adopted unanimously in 2007, the African Union – United Nations Hybrid Operation in Darfur was established (S/RES/1769, 2007). This mission took

over the role of another mission for Darfur, which was adopted with four absent, including Russia and China, and 11 approval votes in resolution 1564 in 2004 (S/RES/1564, 2004). This was not the last time Russia and China abstained in a resolution related to the Sudan case.

The common issues on the resolutions which Russia and China did not support on Sudan are sanctions, consent of the Sudan government for decisions, and arm embargoes. In resolution 1564, the Russian and Chinese governments explained their abstention arguing that the included sanctions in the resolution would not be efficient for ensuring compliance and success for peace (SC/8191, 2004). In resolution 1706, which was adopted with the China and Russia abstained position again in 2006, was mainly because the resolution was not adopted with the consent of the Sudan government (SC/8821, 2006), and it was compatible with their position on the responsibility to protect issue about the consent of the host state, especially in that time as mentioned before. In 2015 both resolutions 2241 and 2252 adopted with Russian abstained position again, and the Russian government underlined sanctions are not helping the peace situation in Sudan. Also, the Russian government criticized using unmanned aerial vehicles despite South Sudan's will in both resolutions as undermining sovereignty (SC/12073, 2015) (SC/12161, 2015).

In 2016, resolution 2304 adopted with Russian and Chinese abstained again, and both governments emphasized the lack of consent of the host state about critical issues regarding peacekeeping missions (SC/12475, 2016). In the same year, the Security Council discussed an arms embargo on South Sudan, but with eight abstention votes, including Russia and China, stopped the draft resolution from being adopted (SC/12653, 2016). However, in 2018, the resolution 2428 arm embargo

decision passed despite six abstention votes, including Russia and China. Both governments stated that arms embargo would not help establish peace in South Sudan (SC/13421, 2018). In this case, the reason for Russian opposition to the arms embargo seems obvious as Sudan is one of the largest trade partners on weapons in Africa (Cafiero, 2021). The abstention votes of Russia and China are related to their perspective on the responsibility to protect about the consent of the host state in decisions, and also it is related to their economic, political position with Sudan. Both China and Russia have many economic investments in Sudan, especially in the oil sector (Ramani, 2019). Also, China has been one of the largest trading partners of Sudan since 2010 (Rui, 2010, p.10).

In the Somalia case, Russia and China have a similar position on resolutions related to arms embargo. Two resolutions related to the responsibility to protect in Somalia include arm embargo decisions, both abstained by Russia and China in 2016 and 2017 (S/RES/2317, 2016) (S/RES/2385, 2017). However, although Russia and China have large arm trade with African countries, it does not mean that these states did not support any resolution, including arms embargo to African countries. In Congo, there have been 13 resolutions related to the responsibility to protect, and some include arms embargo, but except for one resolution, the other 12 were adopted unanimously. Also, in Central Africa, 13 resolutions related to responsibility to protect, including sanctions, were adopted unanimously. In this perspective, Russia and China have common policies in every case, such as not interference to internal politics, and with relation to that, taking consent of the host state in international actions. These states are a more sovereignty-based perspective in foreign politics. However, their preferences on policies in every

case change by the economic, political interests and relations. Also, Russia and China have not necessarily used veto in every decision they oppose. Their veto preference is related to regions and political conditions of each case. Most of the vetoes they used are related to their actions directly, like Crimea or the Middle East region, which have more political influence and relations than other regions such as Syria. The last 30 veto voted drafts since 2006 are draft resolutions mostly related to the Middle East. From this resolutions, 22 of 30 are related to the Middle East issues, while five are about Palestine, all of which are vetoed by the USA, and 16 are related to Syria, all of which are vetoed by Russia (Security Council Veto List 2021). This shows that permanent members have veto power, but they avoid blocking decisions on issues related to responsibility to protect unless they affect their policies directly or their strategically crucial partners in international relations. Also, only one veto was used for Africa-related issues since 2006 by China and Russia, and their stand on this issue was against sanctions and interfering internal issues (S/PV.5933, 2008). Besides this one example, Russia and China preferred to abstain in resolutions related to responsibility to protect in Africa even if when sanctions or some military actions they oppose are included. The economic and political relations and interests are also remarkable for both states in Africa; however, their usage of veto is more related to crucial political partners in the Middle East, and they do not wish to block the international system, especially in humanitarian issues if these issues are not highly influencing their policies. It is also similar to the USA position for veto usage; their five of six vetoes since 2006 are related to the situation in Palestine, and the U.S. – Israel relations are also politically crucial for U.S. governments, it has proven in many cases.

CHAPTER 5

CONCLUSION

The study aimed to analyze the Responsibility to Protect concept in relation to power and sovereignty. Its actors and the international structure shape the concept's mentality and practice. In the first part, realist, liberal, and critical approaches on international relations were studied, and the reasoning behind international actions were defined from these perspectives. Realist approaches saw international relations as a competition for benefits and a struggle to gain political and economic power. The reasoning of realist approaches gave a perspective to analyze actions for the Responsibility to Protect concept and how states act to gain political power. The vetoes of five permanent members of the Security Council on the issues in which they are involved politically and economically indicate that state actions are based on their interests. In the liberal approach however, international relations are described as cooperation and a complex dependency which decreases aggression in relations. This perspective also includes interests, but the method of reaching them is not aggressive. Acting collectively provides more benefits, according to this reasoning. In the actions of the five permanent Security Council members, liberal reasoning also explains how states continue to trade when they are involved in opposite interests in wars. Also, the liberal approach points out that the international principles which are for the common good helps international cooperation. In our world, the liberal economic system became dominant globally after the Cold War era, and liberal principles play a role in international society. The Responsibility to Protect concept is an international principle that aims to prevent atrocities, and it can be reasoned as a

principle for the common good from this perspective. However, in practice and in the international structure from which the principle emerged, there is a balance of power and state interests that are not for the common good. The critical approaches criticize the mainstream approaches from different perspectives. For instance, the Marxist approach sees international relations from the social class perspective and as a class struggle. The capitalist system almost became the only system in the world after the Cold War era, and today, the Marxist perspective explains how states act to promote companies and industries while reducing the rights of the working classes. The poststructuralist approach criticizes these classical understandings. Every principle was practiced and established based on knowledge and rationalization, which affected the international structure and balance of power. In a deconstructive criticism, the concept was analyzed by understanding the structure from which the concept emerged, and the discourses of the concept that produced its rationalization, and by doing that, the concept could be understood by its own mentality. The Responsibility to Protect concept emerged in a system that includes veto power and is practiced as a result of the present balance of power. However, within the concept, there is a remarkable mentality for human rights, but the practice of the concept is not shaped only by that. The practice and principles differ on this point.

Following the theories on international relations, the historical and structural background of the UN was analyzed, along with the LON. In the LON, the imperial and national powers emerged from World War One. The organization was founded to build international cooperation and prevent aggression in international relations. However, mainly because of peace treaties and practices like the mandate which were unfair to the defeated parties, this situation led to unstable power dynamics at

the international level and caused the Second World War. The LON's experience showed that international organizations built to provide international cooperation are also places in which states produce practices and principles for their interests, and the organization is shaped by the international balance of power and structure.

The UN was also founded after a world war like the LON, and it was also influenced by the interests of the winning parties of the war. The structure of the Security Council, permanent membership, and veto power are examples of it. Also, the transformation of the international structure changed the organization's structure. The Cold War era and the era after it are examples of political powers acting differently and affecting the UN. Because of the two-bloc policies during the Cold War, the balance of power was based on these two sides. However, after the Cold War era, the balance of power changed in favor of the Western bloc. But, after 2000, because of economic and political developments in China and Russia, there was a similar bloc system in one perspective, but it can also be said that there is a multipolar system. The main powers that are also related to the Responsibility to Protect concept are the five permanent members of the Security Council. In the UN system and in the cases of the Responsibility to Protect concept, these five states were mainly analyzed because of their role in the concept and their power conditions in the international structure. The structure and missions of the UN, the roles of these five states, and then the Responsibility to Protect concept were analyzed.

The mission of the Responsibility to Protect concept is to prevent populations from atrocities by international responsibility. The sovereignty concept is understood as a responsibility, and in the case of atrocities, such as genocides or war crimes, the international community takes action according to the Security Council and

establishes sanctions or intervenes in the conflict to stop atrocities. The mission of the concept emerged after the Cold War, the liberal system became the global system, all the world became one bloc compared to the Cold War era, and the concept of sovereignty was questioned.

When the concept was established, there were already military actions in addition to the Security Council and its principles, and it reasoned these actions by the perspective of the principle about protecting populations from atrocities. The concept is a more legitimate way to take this action because it will be made by a Security Council decision. Also, as in the LON's experience of the mandate, the five permanent members of the Security Council have an opinion and knowledge about some societies, including concepts of terror which have a very uncertain definition because, as in the China example or in the military intervention examples of the U.S. and Russia, the actions against terrorism caused atrocities. In practice, the Responsibility to Protect is shaped by the interests of the five states in every case. The conditions of these states in the international structure and balance of power affect the practices, either producing atrocities as in Syria and Libya or not preventing them as in Yemen and China. Also, in Africa these states involved to responsibility to protect issues by the political relations they have more, with attending military missions in their ex-colonies or voting against sanctions to the states that they have crucial economic relations.

The increasing influence of the politics of China and Russia since the 2000s has changed the balance of power and international practices. Thus, liberal dominance in the global system is something relatively new in the history of the UN. While the changes in the international structure are affecting the practices of the

Responsibility to Protect concept, the military actions of the five states based on the concept are still there, and this is because the reasoning behind the concept is crucial. Thus, the changes in the international structure can cause a different understanding of the principle, but also, by decreasing the state interests and the roles of the five permanent member states in the Security Council, the principle could be practiced more, benefiting the populations who are suffering from atrocities. The consent of the international community changes, and by making the Responsibility to Protect concept more equal in the roles of the member states of the UN and the international community by the participation of non-governmental organizations, the practice of the concept will be more legitimate, and more consent will be given with different reasoning in the international structure about ways to jointly prevent atrocities. However, states' roles in the concept seem impossible to exclude; thus, the negative impact of the state involvements will be there in practicing the concept in many ways. Participants in the policy-making process from more states could reduce each state's roles in the system, but still, the system works by state actions. Also, the five permanent members of the Council have a crucial political and economic impact on the rest of the world besides their role in the UN. They have remarkable roles in many cases politically and economically. The international system mainly depends on these states' actions which includes calculating their interests in humanitarian crises. Still, the states could not act only for their interests, there have to be legitimate elements, and humanitarian responsibility, which affects state actions. These five states did not stop legitimate humanitarian actions as internationally recognized even if they were opposed to way of executing it, in many cases. However, there are also other examples of which these states stopped international

action, in cases related more directly to their political position and interests. The acting for humanity concept gives legitimacy to international actions. Also, this legitimacy is used to bypass international law in many cases. The concept gives the right motive to get involved in world politics for each state as much as their capability of managing power dynamics. The concept gives a chance to make political actions even without approval by the Council. It has two significant results; first, it creates more opportunities for powerful states to act for their interests in different regions, and second, it increases the chance to prevent a mass humanitarian crisis. Eighth way, power is the decisive element in actions, and international power dynamics also shape acting conditions at the international level and practicing of the responsibility to protect concept; however, the concept also gives a remarkable role of responsibility to protect humanity to every political actor. In the cases that the concept practiced as military intervention did not help to stop conflicts in many examples. However, the aim of protecting humanity from atrocities is remarkable, and it includes the possibility to execute the mission better from the international community. In the end, the power conditions of the states will be decisive on practicing the concept, which is hard to change. Thus, it seems that the concept will be used as a legitimate way to make international actions for powerful states, and their actions and positions will be decisive as it was since the concept emerged.

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