

SOVEREIGNTY UNDER THREAT? RESPONSIBILITY TO PROTECT AND THE UNDERSTANDING OF SOVEREIGNTY

Ljupcho Stojkovski
lj.stojkovski@pf.ukim.edu.mk

Abstract

The situation in Myanmar in 2019, which resulted in the mass displacement and fleeing by the Rohingya population and which, according to UN High Commissioner for Human Rights and UN Secretary General are “textbook examples of ethnic cleansing”, reignited the issue of mass atrocities and the international community’s role in dealing with these problems. The events in Myanmar are some of the latest of a series of other similar mass sufferings that have been occurring in many other places in the world, such as Burundi, South Sudan, DR Congo, Yemen, and of course Syria and Libya. It is more than obvious that this is a reoccurring problem and that is why there has to be a thorough scrutiny of the possible reasons for its persistence. This paper deals with some of these issues. It proceeds in five parts. Firstly, I give a brief introduction about the path that led to the Responsibility to Protect (R2P) and the official acceptance of R2P in 2005. Next, I underline some of the reoccurring critiques of R2P, following which, I address three of them: that R2P is a Western concept, that R2P is basically the same as humanitarian intervention and that (therefore) R2P is a threat to sovereignty. I conclude that R2P has diverse origins; that R2P is broader than humanitarian intervention; and that R2P is not a threat to sovereignty.

Keywords: *Responsibility to Protect, R2P, sovereignty, intervention*

INTRODUCTION

The idea of humanitarian intervention – or the use of force by the international community in order to prevent mass atrocities – and its implementation or lack of implementation in practice during the final decade of the twentieth century, has divided public opinion. The events that took place in this period, especially those in Rwanda and Srebrenica, were an occasion for the then UN Secretary General Kofi Annan to publicly challenge the classical understanding of sovereignty and put forward the idea of two types of sovereignty – classical, state sovereignty, but also, individual sovereignty, in which he includes “the human rights and fundamental freedoms of each and every individual as enshrined in our Charter” (Annan, *Two Concepts of Sovereignty*, 1999, p. 37). According to Annan, under the influence of globalization and international cooperation, today there is a redefinition of state sovereignty and consequently, “no government has the right to hide behind national sovereignty in order to violate the human rights and fundamental freedoms of its peoples” (Annan, *Standing Up for Human Rights*, 1999, p. 24). On the other hand, the situation in Kosovo in 1999, and the unauthorized intervention by NATO, has shown under important aspect and potential problem in employing humanitarian intervention

as a potential solution to the problem of mass suffering. Therefore, the dilemma how best to tackle mass atrocities, which in the 90's centered around humanitarian intervention, gained new track and fresh normative-political discourse in the beginning of the 21st century. In 2001, the Commission, which encompassed 12 independent experts from around the world, published its Report (alongside a Supplementary volume to it) titled: "Responsibility to Protect" (R2P).¹ R2P was offered as a comprehensive framework that should address the issue of mass atrocities and the role of the international community in dealing with them.

1. RESPONSIBILITY TO PROTECT BECOMES OFFICIAL

Remaining largely in the shadows of the "war on terror" since 2001, the R2P concept managed to secure its place on the global political stage² and be part of the UN World Summit in 2005. In the World Summit Outcome Document, in the three paragraphs dedicated to the Responsibility to Protect, it was unanimously agreed that:

138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.

¹ See: *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (International Development Research Centre, Ottawa, 2001) and *The Responsibility to Protect: Research, Bibliography, Background – Supplementary Volume to the Report of the International Commission on Intervention and State Sovereignty* (International Development Research Centre, Ottawa, 2001).

² Due to the persistent efforts of the then Secretary General Kofi Annan and his collaborators as well as some other "norm entrepreneurs" at that time.

140. We fully support the mission of the Special Advisor of the Secretary-General on the Prevention of Genocide. (A/RES/60/1)

Thus, the adoption of the Responsibility Protect at the World Summit, even in this shortened version from the one envisaged in the 2001 Report, is treated by some authors as “the most significant adjustment to national sovereignty in 360 years”(Gilbert, cited in (Pattison, 2010, p. 4).

2. CRITICIZING RESPONSIBILITY TO PROTECT

Even though R2P was unanimously accepted at the World Summit in 2005 and has since developed and established itself in the normative-political discourse in regards to mass atrocities, it still has some serious critics. For example, in 2009, at the first interactive dialogue on R2P, the then President of UN General Assembly, the Venezuelan ambassador Miguel d’Escoto Brockman made the following remarks:

“Recent and painful memories related to the legacy of colonialism, give developing countries strong reasons to fear that laudable motives can end-up being misused, once more, to justify arbitrary and selective interventions against the weakest states...

Do the rules [of R2P] apply in principle, and is it likely that they will be applied in practice equally to all nation-states, or, in the nature of things, is it more likely that the principle would be applied only by the strong against the weak?...

Given the extent to which some great powers have recently avoided the strictures of the Charter in resorting to the use of force, ... there is little reason to doubt that endorsement of R2P by the General Assembly will generate new “coalitions of the willing”, crusades such as the intervention in Iraq led by self-appointed saviors who arrogated to themselves the right to intervene with impunity in the name of overcoming nation-state impunity.” (Brockman, 2009)

This statement³ underscores several critiques that have regularly been attributed to R2P. One can highlight five such critiques: Firstly, R2P is a Western concept used by the powerful states when it suits them. Secondly, R2P comes down to intervention as a means to address mass atrocities; Thirdly, as it is currently designed, R2P undermines international law that is founded on sovereignty and non-intervention as the main principles; Fourthly, R2P is applied selectively, because, finally, those who call upon R2P use its humanitarian rhetoric as a pretext to cover their hidden interests that actually drive them to intervene in the first place. Taken together, these 5 critiques renew the old critiques that were extended to R2P’s “cousin” (Chomsky, 2009) – humanitarian intervention. The essence of this criticism is that R2P is nothing more than neocolonialism⁴ and/or neoimperialism⁵ that endangers sovereignty and state independence,

³ Similar remarks by Venezuela (and several other countries) were given, for example, at the 2019 plenary meeting on R2P at the UN General Assembly. See UN Doc. A/73/PV.93, 27 June 2019.

⁴ See for example Siddharth Mallavarapu, *Colonialism and the Responsibility to Protect*, in Ramesh Thakur, William Maley (eds.), *Theorising the Responsibility to Protect*, Cambridge University Press, Cambridge, 2015, pp.305-323.

⁵ See for example Jonathan Graubart, *War is not the Answer: Responsibility to Protect and Military Intervention*, in Ramesh Thakur, William Maley (eds.), *Theorising the Responsibility to Protect*, Cambridge University Press, Cambridge, 2015, pp.305-323.

which were elevated as core principles precisely in order to stop the interfering of powerful states in the matters of smaller states. Thus, R2P *de facto* threatens sovereignty as a pillar of international law and international relations. Although the latter two remarks are as important to address as the other ones, in this paper I will address the first three critiques only. Throughout these three critiques lingers a certain stance about sovereignty and its relationship with R2P that needs to be debunked.

3. RESPONSIBILITY TO PROTECT IS NOT A WESTERN CONCEPT

One of the most common accusations towards R2P is that it merely represents the “emperor’s new clothes” (Kinacioglu, 2017). This means that R2P is deriving from the “West”, from those same “powerful”, “developed” or “civilized” countries which in the past used force to accomplish their policies and national interests. We can analyze this thesis from two aspects: empirical and ethical. Primarily, however, two things need to be emphasized. Firstly, the understanding that a concept originates exclusively from one region (in this case the “West”) and as such it cannot (and/or it should not!) become “universal”, is falling on the trap of radical cultural and moral relativism. There is absolutely no doubt that we should be attentive, as Michel Foucault says, to the discoursepower-truth relationship⁶ and acknowledge that R2P’s language can easily resemble the grand injustices in forms of interventions and enslavement that have been done by the powerful to the “uncivilized” populations that were “incapable” to protect and govern themselves (Glanville, 2016, p. 162). Nevertheless, discrediting a proposed solution to a problem (as R2P is to the problem of mass atrocity) solely on the basis of its origin, is unfounded, and more importantly, it does not address the problem itself. Secondly, it is ironical that R2P is being criticized as an attack on sovereignty, knowing that sovereignty (along with other well-established “political and economic ideas that underline modern international life” such as “the state, democracy, market economics, socialism, development, international law and institutions” etc.) following the same logic, derives from the “West” and is now being portrayed as the supreme, “universal” principle. (Henkin, 1990, p. xi)

Nonetheless, it can easily be “proved”, empirically and ethically, that R2P has wide and universal, and not just “Western”, roots. The empirical aspect of this question comprises the actors that have been included in the commencement of R2P and its implementing. Seen from this perspective, as Acharya points out, R2P has multiple sources, contexts and agents that have contributed to its status as international (universal) norm. The sources include, “the work of ICISS, the idea of humanitarian intervention (the ‘right to intervene’), human rights promotion, the just war tradition and the idea of responsible sovereignty developed in the context of Africa and IDP’s.” The contexts out which R2P originated are also numerous and they comprise “the Middle East, the Balkans, and above all, Africa.” The same applies to the agents or ‘norm entrepreneurs’, such as the “Canadians, Australians, Africans and others”. Moreover, the USA, as the main Western actor, was not among these actors, at least not until late 2005 (Acharya, 2015, p. 76). As far the implementation of R2P is concerned, there are also strong arguments to support the claim that R2P is a universally accepted and applied standard. R2P was unanimously

⁶ See Michel Foucault, *Power/Knowledge: Selected Interviews and Other Writings 1972-1977*, edited by Colin Gordon, Pantheon Books, New York, 1980 (especially pp. 109-134) ⁷ See more on this below.

accepted by more than 150 states at the World Summit in 2005. Since then, it has been confirmed in Resolutions by the UN General Assembly (where all UN states are members) by the Security Council (as the body primarily responsible for maintaining international peace and security) and the Council for Human Rights (as a body responsible to promote and protect human rights around the world). As of August 2017, R2P has been invoked in 64 Security Council resolutions, 10 General Assembly resolutions and 28 Council for Human Rights resolutions. (GCR2P, 2017)

The ethical aspect of this issue concerns the moral and cultural values the comprise R2P, or more precisely, whether these values are exclusively “Western” or not. As previously mentioned, R2P is founded on the notion of “sovereignty as responsibility”⁷. This idea, that “those who hold political authority have a responsibility to protect their subjects or citizens, spans many societies and cultures” (O’Hagan, 2015, p. 289). One can include here western political and intellectual traditions of course, but also, Asian, Islamic, Hebrew, Buddhist and many others (Ibid, p.287-292). In addition, as it was made clear from the previous paragraph, Africa’s standpoint and contribution to R2P is enormous.

4. RESPONSIBILITY TO PROTECT ≠ HUMANITARIAN INTERVENTION

Another common critique on R2P is that the concept does not represent an improvement over the older concept of humanitarian intervention, i.e. R2P is just an “old wine in a new bottle”. In other words, R2P merely comes down to the use of force or military intervention by the powerful (“western”) states over the small (“non-western”) states in order to achieve their own (hidden) goals.

This stance, however, is a misrepresentation of R2P. The 2001 R2P Report by the International Commission on Intervention and State Sovereignty introduced several key changes in the debate about sovereignty, humanitarian intervention and the responsibility that international community has it dealing with mass atrocities. Firstly, there has been a change in the vocabulary used about these issues. Instead of an intervention and a ‘right’ to intervene, the Report was focused on the ‘responsibility’ to protect. This is not only a stylistic modification but a product of the shift in focus – with R2P the populations that are in need of protection are the departing point and not those who should intervene. Secondly, R2P clearly promotes the notion, that several years earlier was raised by Francis Deng (and then Kofi Annan), of sovereignty as responsibility. Thirdly, the R2P concept from 2001 is far broader than humanitarian intervention and it includes three phases: responsibility to prevent, responsibility to react and responsibility to rebuild. Thus, humanitarian intervention is only part of one segment of R2P - the responsibility to react. This responsibility to react is activated only when prevention fails, therefore the main focus of R2P is prevention, which is the fourth crucial difference with the concept of humanitarian intervention.

Although what was eventually accepted as the official version of R2P at the World Summit in 2005 was considerably less than what was contained in the original R2P Report from 2001,⁷ the spirit of R2P was kept. In order to revive and further develop the concept, in 2009 former Secretary General Ban Ki Moon started publishing annual Reports dedicated to R2P’s

⁷ For the main differences between the 2001 and 2005 versions, see James Pattison, *Humanitarian Intervention and The Responsibility to Protect: Who Should Intervene?*, Oxford University Press, Oxford, 2010, pp.14.

implementation, clarification and development, a practice that continues under current Secretary General Antonio Guterres.

In his first Report, the Secretary General set up the three pillar structure of R2P which has since been used as a reference point about what is and how well implemented is R2P. According to this structure, Pillar 1 refers to states and their primary responsibility to protect their own populations from the four types of atrocities that are covered by R2P: genocide, war crimes, crimes against humanity and ethnic cleansing. Pillar 2 speaks of the international community and it underlines the responsibility that the international community has to help states fulfill their primary responsibility. The help understands assistance and capacity building for civilian protection. Finally, if states are manifestly failing to protect their populations and the international community cannot help through Pillar 2, then Pillar 3 is activated. This Pillar expresses the readiness by the international community to take 'collective action' according to Chapter VII of the UN Charter.

Collective action can sometimes include military intervention, but in terms of R2P, collective action has broader meaning and it also includes other measures not involving intervention such as sanctions, travel bans, embargos, no fly-zones, etc. (Secretary-General, Implementing the Responsibility to Protect: Report of the Secretary-General, A/63/677, 2009)

5. RESPONSIBILITY TO PROTECT DOES NOT UNDERMINE SOVEREIGNTY

The third most common critique that is directed towards R2P is that the concept undermines international law that is founded on the principles of sovereignty and noninterference in the internal affairs of states. Tailored this way, the purpose of international law is to protect the smaller states from the more powerful ones and at the same time to enable a plurality of societies and different cultural and political systems in accordance with the right of self-determination of peoples and their own cultural and regional convictions and traditions. The concepts of sovereignty and non-intervention help us to understand the international order as "a normative system based on the coexistence of independent states, each enjoying rights of political sovereignty and territorial integrity defined by international law and an underlying morality of states." (Nardin, 2005, p. 23)

What is obvious here is that at the heart of the problem lies the relationship between the populations in one state, the governments of that state, and the international community. On the other hand, sovereignty as a concept, even since its inception with the Peace of Westphalia in 1648, is considered to have two dimensions: internal and external. The internal aspect of sovereignty refers to the right of every state to freely choose its political system and freely and independently decide about the economic, social, cultural, foreign policy and other questions. The external dimension, represents the other side of the Westphalian coin (Weiss, 2007, pp. 12-21) – the respect enjoyed by all other states of this right and the corresponding duty of not intervening and not interfering in the internal affairs of another state.

Portraying the issue this way, however, often falls on the so called "conceptual trap of sovereignty". This conceptual trap of sovereignty, as Butler calls it, is based on two elements: first, the 'body of the nation' [that is the population on a territory] is deemed to be fully represented by the de jure government, and second, there is no distinction between the state and the government of that state (Butler, 2017, p. 23). Consequently, under the veil of sovereignty

and cultural plurality, states are becoming 'black boxes' and the ruling elites are exclusively and unabatedly deciding about the fate of the populations on their territory.

Looked from a historical perspective, the invention of sovereignty, however, was not intended to leave the populations on the mercy of their rulers. There has always been some limitations, "originally by divine law, respect for religious practices, and natural law; and subsequently limitations have resulted from the consent-based system of the law of nations" (Weiss, 2007, p. 24). A completely new outlook to the meaning of sovereignty came after World War 2 and the creation of the United Nations. The UN Charter shows a clear primacy of non-intervention and non-interference in the internal affairs of states as expressed in art. 2.7. This impression is confirmed by state practice during the Cold war, when only three interventions to stop mass atrocities occurred (Bangladesh, Uganda and Cambodia) and they were all widely condemned. As Glanville concludes, "for a time, then, sovereignty was understood to entail the absence of international responsibility. (Glanville, 2016, p. 157)

Nevertheless, despite these attitudes towards intervention and sovereignty, even during the Cold war there was the slow acceptance and development of the idea of international human rights law. This was especially enhanced following the end of the Cold war, when, as previously mentioned, there has been a bigger activity and cooperation of the Security Council, which resulted in the authorization of the use of force in some instances of mass atrocities. It is exactly in this period, at the beginning of the 90's, when the core idea underneath R2P – sovereignty as responsibility – started taking its place. It was Sudanese diplomat and scholar (then a Director of Brookings Institution Africa program and now an Under-Secretary General) Francis Deng who introduced the idea of reframing sovereignty in a positive way, i.e. representing it as a form of care towards the populations of a concrete state. Deng's goal was neither to weaken nor eradicate sovereignty. On the contrary, it is because he thought that "there is no adequate replacement in sight for the system of state sovereignty, [the] primary responsibility for promoting the security and well-being of populations must remain with the state." Sovereignty, however, is a shared responsibility, therefore when the state fails with "good governance, economic well-being, democratic distribution of power, conflict prevention and resolution, and the management of diverse ethnic, racial and religious identities", it is the responsibility of the international community to become involved and "make clear that such a state of affairs ultimately threatens global order". (Cohen & Deng, 2016, pp. 75,78)

This understanding of sovereignty as responsibility was first applied on the problem of internally displaced persons (IDP's) (not refugees). Key here is the work of Roberta Cohen, who also at the beginning of the 90's, claimed that sovereignty implies that the governments have "humanitarian and human rights obligations to the persons residing on their territories". This, on the other hand, does not mean that the international community is left off the hook, especially if the protection of human rights is left to those same ruling elites that have caused (or did not stop) the suffering in the first place. The fact the persons are internally displaced, "does not mean that the international community does not have a major responsibility to protect them." (Cohen & Deng, 2016, pp. 75,80)

What these two works point out to is the second key component that R2P introduced to the understanding of sovereignty – the role of the international community in cases where states are failing to uphold their primary responsibility. The philosophical explanation of this element builds on the two dimensions of sovereignty – internal and external. Analogously, sovereignty encompasses two types of legitimacy of the government in one state – internal legitimacy

towards its own citizens and external legitimacy towards the international community as a whole. If the government and the political institutions are working as it has been intended by the peoples of that territory, then there is full legitimacy of that state. However, even if the institutions are not functioning as they were meant, and the citizens of a state are struggling and failing to establish free institutions, they are still employing their right of self-determination (Walzer, *Just and Unjust Wars*, 2006, p. 87). In other words, there still exist some sort of “cultural correspondence between

[the] people and [the] government” of that state, some sort of ‘fit’ (Teson, 2005, p. 82). This fit represents the battle of that community for their establishment and is in some way, natural reflection of the history, culture and religion of that particular community (Walzer, *The Moral Standings of States: A Response to Four Critics*, 1980, p. 225). Therefore, even when there is no internal legitimacy inside a state, the international community has to respect this ‘fit’ as long as it is not ‘radically apparent’ that there is no fit at all. This understanding reflects “our recognition of diversity and our respect for communal integrity and for different patterns of cultural and political development” (Ibid, pp. 215, 216). It is pluralistic and it counters the notion that same type of government and political system should be ascribed for every political community.

Nevertheless, the international community still has a certain responsibility to the populations even in this phase. If the issue revolves around factors that on the short or long term can lead to one of the four mass crimes that comprise R2P, then, in accordance with Pillar 2 of R2P, the international community can take a number of measures which can improve the human rights situation, the rule of law and the functioning of state institutions. Such measures would include, for example, the dissemination of human rights and humanitarian standards, peer education and experience sharing of national authorities, active participation in R2P dialogues and the duties and responsibilities that surround it, the establishing and maintaining of legitimate, inclusive and effective state institutions, independent judiciary and rule of law, preventive diplomacy to reduce the vulnerability of populations to atrocity crimes, etc. (Secretary-General, *Fulfilling our collective responsibility: international assistance and the responsibility to protect - Report of the Secretary-General*, A/68/947–S/2014/449, 2014)

The international community has an even bigger responsibility when there is a ‘radically apparent misfit’, meaning, “there is no “fit” between the government and the community or there is no community” at all (Walzer, *The Moral Standings of States: A Response to Four Critics*, 1980, p. 217). This ‘misfit’ does not refer to the “ordinary, routine abuse of human rights that tragically occurs on a daily basis” (Wheeler, 2000, p. 34) but only to those extreme form of human rights’ violations that “shock the conscience of mankind”. Such extreme forms of violence are considered to be the four crimes included in R2P: genocide, war crimes, crimes against humanity and ethnic cleansing. This is why, in these situations when there is an ultimate humanitarian emergency, R2P’s third Pillar is activated. As it was mentioned above, this Pillar encompasses the undertaking of “appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter”, but also “collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations”.

CONCLUSION

All of the above confirms that R2P's understanding of sovereignty is historically, morally and philosophically justified. Even from a legal standpoint, R2P is also only confirming the commitments and duties that states already have under international law. The legal responsibilities and obligations arising from Pillar 1, according to which states have the primary responsibility to look after the security and wellbeing of their populations, are long established. They derive from the *ius cogens* and *erga omnes* status of genocide, from international humanitarian law, international criminal law and of course human rights law (Bellamy & Ruben, *The Responsibility to Protect and International Law*, 2010) (Stahn, 2007). The legal duties that comprise Pillar 2 – assisting states in fulfilling their primary responsibility – are rooted in article 1 of the Convention on the prevention and punishment of the crime of Genocide and common article 1 of the Geneva Conventions of 1949, and are supplemented with ICJ's jurisprudence especially in the Case concerning the Application of the Genocide Convention, Bosnia vs. Serbia (ICJ, 2007). R2P's third Pillar – the undertaking of a collective action when mass atrocities are happening and the other two Pillars are not sufficient – is also expressing the legal mood around this question. On the one hand, Pillar 3 is not demonstrating any new legal commitments for a collective (coercive) action but it is only expressing a *preparedness* to take such a possibility into consideration (Stahn, 2007). On the other hand, Pillar 3 also points out to some already agreed upon legal commitments, such as the duty of states to “cooperate to bring to an end through lawful means any serious breach” of a peremptory norm of general international law (A/56/10, 2001) (like genocide, for instance) and to “employ all means reasonable available” to fulfill this obligation (ICJ, 2007).

Understood this way, R2P does not pose a threat to sovereignty. On the contrary. As former Secretary General says, “R2P is an ally of sovereignty, not an adversary”. This means that R2P was brought up and developed out of the affirmative concept of sovereignty as responsibility and not from the narrower idea of humanitarian intervention. In addition, “by helping states to meet their core protection responsibilities, the responsibility to protect seeks to strengthen not weaken sovereignty.” (Secretary-General, *Implementing the Responsibility to Protect: Report of the Secretary-General*, A/63/677, 2009, pp. 7,8)

Finally, today's understanding of sovereignty from the point of view of R2P is different from past constructions of the same term (although we should always be careful not to fall into the trap of adopting “liberating” or “civilizing” speeches and policies). As Glanville points out, “rather than a concept imposed by the West upon the rest, by the powerful upon the weak, or by established states on newly created states, R2P is one that has been championed by actors from around the world, unanimously endorsed by international society, and implemented by African, Asian, and South American states in their own regions in a range of coercive and non-coercive ways. And rather than justifying the extinguishment of sovereignty and the subjection of peoples to foreign rule, R2P calls for the provisions of assistance, the application of pressure and sanctions, and only in the most extreme cases the temporary resort to force in defense of a vulnerable sovereign people” (Glanville, 2016, p. 162).

REFERENCES:

1. **A/56/10, D. U.** (2001). International Law Commission, Draft Articles on the Responsibility of States for Internationally Wrongful Acts.
2. **A/Res/60/1.** (2005, 24 October).
3. **Acharya, A.** (2015). The Responsibility to Protect and a Theory of Norm Circulation. In R. Thakur, & W. Maley (Eds.), *Theorising the Responsibility to Protect* (pp. 59-79). Cambridge: Cambridge University Press.
4. **Annan, K.** (1999). Standing Up for Human Rights. United Nations Department of Public Information.
5. **Annan, K.** (1999). Two Concepts of Sovereignty. United Nations Department of Public Information.
6. **Bellamy, A. J., & Ruben, R.** (2010). The Responsibility to Protect and International Law. *Global Responsibility to Protect* , 2, 267-286.
7. **Brockman, M. d.** (2009). Opening Statement of the Thematic Dialogue of the General Assembly on the Responsibility to Protect.
8. **Butler, S.** (2017). Self-determination and Sovereignty as Responsibility: A Symbiotic Relationship. In V. Sancin (Ed.), *Are we "Manifestly Failing" R2P?* (pp. 19-37). Ljubljana: University of Ljubljana.
9. **Chomsky, N.** (2009). Statement by Professor Noam Chomsky to the United Nations General Assembly Thematic Dialogue on the Responsibility to Protect.
10. **Cohen, R., & Deng, F. M.** (2016). Sovereignty as Responsibility: Building Blocks for R2P. In A. J. Bellamy, & T. Dunne (Eds.), *The Oxford Handbook of the Responsibility to Protect* (pp. 74-94). Oxford: Oxford University Press.
11. **GCR2P. (2017).** *Global Centre for Responsibility to Protect*. Retrieved September 29, 2017, from http://www.globalr2p.org/about_r2p
12. **Glanville, L.** (2016). Sovereignty. In A. J. Bellamy, & T. Dunne (Eds.), *The Oxford Handbook of the Responsibility to Protect* (pp. 151-167). Oxford: Oxford University Press.
13. **Henkin, L.** (1990). *The Age of Rights*. New York: Columbia University Press.
14. **ICJ, R.** (2007). Application of the Convention on the Prevention and Punishment of the Crime of genocide (Bosnia and Herzegovina v. Serbia and Montenegro. *Case law* , 182-184.
15. **Kinacioglu, M.** (2017). Old Wine, New Bottle or Emperor's New Clothes?: R2P as a Discursive Shift in the Humanitarian Intervention Narrative. In V. Sancin (Ed.), *Are we "Manifestly Failing" R2P?* (pp. 19-37). Ljubljana: University of Ljubljana.
16. **Nardin, T.** (2005). Humanitarian Imperialism: Response to "Ending Tyranny in Iraq. *Ethics and International Affairs* , 19 (2), 21-26.
17. **O'Hagan, J.** (2015). The Responsibility to Protect: A Western Idea? In R. Thakur, & W. Maley (Eds.), *Theorising the Responsibility to Protect* (pp. 285-305). Cambridge: Cambridge University Press.
18. **Pattison, J.** (2010). *Humanitarian Intervention and The Responsibility to Protect: Who Should Intervene?* . Oxford University Press.
19. **Secretary-General.** (2014). *Fulfilling our collective responsibility: international assistance and the responsibility to protect - Report of the Secretary-General, A/68/947-S/2014/449.*
20. **Secretary-General.** (2009). *Implementing the Responsibility to Protect: Report of the Secretary-General, A/63/677.*

21. **Stahn, C.** (2007). Responsibility to Protect: Political rhetoric or Emerging Legal Norm? . *The American Journal of International Law* , 101 (1), 99-120.
22. **Teson, F. R.** (2005). *Humanitarian Intervention: An Inquiry into Law and Morality* (3rd ed.). Ardsley: Transnational Publishers.
23. **Walzer, M.** (2006). *Just and Unjust Wars* (4th ed.). New York: Penguin Books.
24. **Walzer, M.** (1980). The Moral Standings of States: A Response to Four Critics. *Philosophy and Public Affairs* , 9 (3), 209-229.
25. **Weiss, T. G.** (2007). *Humanitarian Intervention: Ideas in Action*. Polity Press.
26. **Wheeler, N. J.** (2000). *Saving Strangers: Humanitarian Intervention in International Society*. New York: Oxford University Press.