The International Norm Dynamics of R2P

Towards Internalization?

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ABSTRACT

Progressing from institutionalization to practice less than six years after its endorsement at the 2005 World Summit, the responsibility to protect (R2P) is a rising norm in international relations. This thesis uses the constructivist theoretical framework of Finnemore & Sikkink (1998) to determine which stage R2P has reached on the scale of international norm dynamics. This research is driven by an analysis of the political discourse held by the permanent members of the Security Council (P5) on R2P. This analysis results in a classification of the support brought to R2P by the P5 according to three distinct categories: strong supporters, cautious supporters, and rejectionists. While strong supporters advocate R2P in principle and practice, cautious supporters and rejectionists do not consider R2P as the standard procedure to protect civilians from crimes against humanity. This thesis argues that Russia and China are cautious supporters of R2P, as they oppose the norm's implementation for conceptual reasons. Russian and Chinese concerns about R2P undermining core principles of the UN Charter result in the absence of consensus on the norm's implementation within the Security Council. Acknowledging that this situation reduces the prospects of R2P implementation, analysis reveals that the norm has not reached the stage of internalization and is confined to the stage of norm cascade. The absence of rejectionists among the P5 is nonetheless indicative that R2P's future internalization remains possible.

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Chapter 1: Introduction

The responsibility to protect (R2P) is a United Nations principle enshrined in the 2005 World Summit Outcome Document. According to paragraph 138 of the latter text, 'each individual state has the responsibility to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity'. Paragraph 139 further adds that 'the international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means' to protect civilian populations from the aforementioned crimes. Paragraph 139 continues by stating that the international community is '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' (UN General Assembly, 2005: A/RES/60/1).

The adoption of the R2P principle is the result of a succession of debates that took place in the wake of humanitarian catastrophes in the 1990s such as Somalia, Rwanda, Bosnia-Herzegovina and Kosovo. Several new concepts were brought to the table by high-profile politicians in order to propose new policies to protect civilians from mass atrocities. Notably, United Nations Secretary General Kofi Annan suggested the idea that 'individual sovereignty' existed alongside the conventional concept of state sovereignty (Evans, 2008a: 37). Francis Deng, former United Nations Secretary General representative on Internally Displaced Persons, attempted to pioneer a new model of humanitarian intervention which would not place state sovereignty at odds with the responsibility of states to guarantee its population a primary set of human rights. Francis Deng proposed to merge the principles of state sovereignty and the responsibility of states towards their population into the wider concept of R2P. As the title of his book, *Sovereignty as Responsibility* (Deng et al., 1996: 32-3) aptly suggests, state sovereignty and R2P are two sides of the same coin.

Francis Deng's idea was further examined, debated, and elaborated with the help of official platforms such as the International Commission on Intervention and State Sovereignty (ICISS) and the High-Level Panel on Threats, Challenges and Change, which informed the subsequent negotiations that preceded R2P's adoption in New York in September 2005. This

occasion invited the 193 member states of the United Nations to reach a consensus on a variety of themes that were put on the agenda by Secretary General Kofi Annan. R2P was by far not the sole issue that was to be tackled at the World Summit. Themes such as institutional change within the UN system, including the enlargement of the Security Council, the setup of a Human Rights Council and the creation of an International Finance Facility, as well as environmental issues such as meeting the requirements of the Kyoto Protocol and the necessity to fight desertification were amongst the chief problems addressed at the Summit. (Hyvarinen, 2006: 6).

In the aftermath of the 2005 World Summit, R2P encountered events that further legitimated the norm's institutionalization within the United Nations system. In this way, the Security Council reaffirmed its commitment towards R2P in resolutions 1674 and 1894, voted respectively in 2006 and 2009. Finally, the appointment of Ban Ki-Moon as Secretary General confirmed that the trend of wide support for R2P that is to be found within the United Nations secretariat did not decrease as Kofi Annan's mandate expired. The publication of a report titled *Implementing the Responsibility to Protect* by the current United Nations Secretary General clarified some aspects related to the manner in which R2P is to be put into practice by dividing it into three distinct pillars. Pillar one's focus is on the primary responsibility of the state to protect its civilian population (Ban, 2009: 10). Pillar two emphasized the necessity to develop preventive efforts along with regional organizations, as well as improve international assistance and capacity-building mechanisms along the lines of early-warning systems (Ban, 2009: 15). Pillar three focuses on the international community's timely and decisive response to R2P crimes (Ban, 2009: 22).

Since then, humanitarian intervention on the grounds of R2P has been only authorized in the case of NATO's operation Unified Protector in Libya in 2011. Importantly, this event constitutes the first time the use of force has been authorized by the Security Council by invoking R2P. This thesis uses a constructivist theoretical perspective to determine the current situation of R2P's normative progress. In this regard, it is interesting to observe whether the demonstration of R2P implementation in Libya altered the norm's internalization prospects. This thesis aims to assess R2P's stage of normative progress through the constructivist theoretical framework of the norm 'life-cycle'. Developed by Finnemore & Sikkink (1998), this framework comprehensively integrates these inter-subjective features in a manner distinguishing three particular stages of norm dynamics in international relations. Accordingly, this theoretical framework offers the tools to measure to what extent R2P is a

norm 'that set standard for the appropriate behavior of states' (Finnemore & Sikkink, 1998: 891). This leads us to the following research questions. What is the current stage reached by R2P on Finnemore & Sikkink's scale of international norm dynamics? Why has it reached this particular stage?

This thesis will start by reviewing the scholarly debate on R2P and substantiate a gap within academic literature on the topic. Then, the theoretical framework surrounding this research will be outlined. The research design specifies the methodological aspects of this thesis and considers the hypotheses and expectations generated by this research. The empirical analysis determines the levels support brought by the permanent members of the Security Council to R2P. The interpretation of the empirical results concludes this thesis.

Chapter 2: Theory

A) Literature Review

R2P: a concept reconciling human rights and sovereignty

The scholarly debate on R2P has been particularly active since the early 2000s. The initial academic discussion focused on whether the latter event represented a positive development in the field of international politics. Academic interest concerning R2P grew most notably since 2001 and the ICISS's report *The Responsibility to Protect* and even more since its adoption as a UN principle in the 2005 World Summit Outcome document. On one hand, scholars perceive R2P as a positive development in international politics, particularly because they view it as a pioneering way to protect civilians against gross human rights violations without posing a threat to state sovereignty. Thakur (2004: 205) highlights that R2P offers clear guarantees towards the application of 'precautionary principles, lawful authorization, and operational doctrine' in the framework of humanitarian intervention. Weiss & Thakur (2011: 126) consider R2P's conceptual advantages when they argue that R2P successfully allows for confronting human rights and state sovereignty so that the latter does not become a 'license to kill'. Evans (2008a: 47) is equally positive on the substance of R2P's conceptual implications asserting that the wording of Paragraphs 138 and 139 of the World Summit Outcome Document, although slightly different from the pioneering reports of the ICISS and the High-Level Panel on Threats, Challenges and Change, does not alter the significance of the core idea behind R2P. Bellamy (2009a) argues R2P is a pioneering concept in the fact that it encompasses economic, judicial, and diplomatic measures to assist states to successfully engage in their responsibility to protect their civilian population from crimes against humanity, war crimes, genocide, and ethnic cleansing. Bellamy (2009a) adds that besides helping governments to protect their citizens from the four core crimes listed in the Rome Statute, R2P has the potential to increase the international community's prospects for action   in these circumstances by institutionalizing support mechanisms within the United Nations system.

R2P implementation: the need for further conceptualization

Although R2P has been praised for its ability to create an international consensus around a new perspective on the implications of state sovereignty, it has also been criticized

for failing to address practical issues related to preventive and reactive action in situations of humanitarian distress. Bellamy (2006: 169) underlines that the successful implementation of R2P will depend on the development of clearer criteria concerning who should intervene, when the thresholds for intervention are reached, and what modes of operation are to be practiced. As the absence of specific criteria could provide leeway for R2P's misuse by self-serving actors, Bellamy (2009b: 125) also argues that further efforts need to be made in order to improve the concept's implementation and convince skeptics that it is not a hoax for unilateral military intervention. This includes detailing the implications of prevention under R2P, emphasizing practical issues related to the protection of civilians, and proposing pragmatic yet non-coercive measures to put R2P into practice. Nevertheless, Bellamy & Williams (2011) consider these aspects to have been addressed in a consistent manner during the international community's interventions in Cote d'Ivoire and Libya in 2011 so as to form a 'new politics of protection' conducted within the framework of the United Nations and in cooperation with regional organizations.

Some scholars have nuanced R2P's conceptual shortcomings by emphasizing that it still represents progress from the model of humanitarian intervention, which failed due to its excessive reliance on the political will of states to react to humanitarian crises. In this way, Cronogue (2012: 159) points out that although R2P does not put states under the strict obligation to intervene, R2P still represents 'an important step in protecting civilians from government violence'. Jubilut (2012: 335) concurs by arguing that the adoption of R2P is a positive event in international politics because it demonstrates the international community's interest in reacting to crimes against humanity perpetrated against civilians and it reduces the gap between the needs of civilian victims of such crimes and the institutional structure of the United Nations.

<u>Skepticism towards R2P's ability to protect civilians</u>

Scholars critical of R2P argue that its institutionalization does not solve the issue of the lack of political will of states to intervene and does not propose solutions to address Security Council deadlock in R2P situations. Hehir (2011: 1341) is skeptical towards R2P's failure to generate a 'consistent, impartial response' to protect civilians but concedes that R2P still allows the opportunity for the international community to increase political pressure on the Security Council to act. Furthermore, Chandler (2011: 32) argues that because it delegates some responsibilities to regional organizations and non-Western institutions, R2P

paradoxically represents a 'shift away from responsibility' for Western states seeking to decrease their role in peacekeeping operations by sharing the political, military, and economic costs of humanitarian intervention. Hamilton (2006: 296) adds that R2P's implementation prospects are limited by a lack of operational capacity within international peacekeeping contingents.

Darfur: a case illustrating R2P implementation difficulties

Scholars critical of R2P (Belloni, 2006; Wheeler, 2009) use the example of the humanitarian crisis in Darfur to expose the concept's limitations. Belloni (2006: 333-334) argues that R2P's flaws are that it proposes short-term reaction instead of long-term preventive solutions to humanitarian issues and that it provides incentives for rebel groups to prolong fighting in civil war contexts so as to attempt to obtain external support from the international community. Also with Darfur in mind, Wheeler (2009: 116) criticizes the lack of a common understanding of R2P, which reinforces the absence of political consensus to act on R2P grounds and is a factor of Security Council deadlock. Dharmapuri (2012: 242-243) has taken a similar viewpoint by recalling that these conceptual flaws result in an absence of consensus on R2P implementation even among the states supporting the concept. From a different perspective, De Waal (2007: 1054) argues that the international community's failure to protect civilians in Darfur from gross human rights violations is due to flaws in R2P's conceptualization. In fact, De Waal (2007: 1043) highlights that the breadth of the R2P concept confused the international community's humanitarian response in Darfur by multiplying uncoordinated objectives on the humanitarian, diplomatic, judicial, political and military fronts, which 'impeded a clear and coherent strategy'. In the same way, Focarelli (2008) underlines that the R2P concept contains too many conceptual ambiguities to be successfully put into practice. Focarelli (2008: 210) argues that the amount of states objecting towards R2P renders the possibility to invoke humanitarian intervention on the grounds of this concept arbitrary. Furthermore, Focarelli (2008: 210) criticizes the fact that R2P conforms to the interests of the most powerful states in international politics since their military clout grants them the privilege to decide whether and how R2P is to be implemented.

The emergence of a new international norm

An important component of the academic debate concerning R2P is whether it has become an international norm. Scholars (Evans, 2008b: 286; Bellamy, 2011: 25; Thakur & Weiss, 2011: 142) who perceive R2P as a positive evolution in international relations use

normative terminology to describe R2P's rise from an abstract idea to an international norm. Although conscious about the skepticism of a number of states concerning R2P, these scholars consider that R2P's rapid process of institutionalization constitutes a normative evolution. In this way, these authors are similar in arguing that the process that turned the idea of 'sovereignty as responsibility' (Deng et al., 1996: 32-3) into being conceptualized at the 2001 ICISS, and then confirmed as a UN principle at the 2005 Word Summit led R2P to be accepted as a norm with international scope and influence. Karlsrud (2013: 15) highlights that donor states as well as the input of think tanks and academic circles assisted the UN in promoting R2P's normative progress at the international level. In this way, Zähringer (2013: 199-200) goes further by arguing that institutions such as the United Nations and the African Union were essential to guiding the interpretative divergences of states on R2P into further consolidating it as a norm as well as providing a regular platform for its socialization within the international community's political discourse.

Scholars (Rademaker, 2012; Welsh, 2013: 378-379; Ziegler, 2015: 18-19) have couched R2P's normative evolution in the terms of Finnemore & Sikkink's (1998) norm 'life-cycle' and argued that the institutionalization of R2P within the framework of the United Nations system resulted in R2P completing the stage of norm emergence and entering the stage of norm cascade. Examining, the question from a legal standpoint, Matthews (2008: 150) underlines that although R2P cannot yet be conceived as legally-binding, its implementation by the Security Council could turn what the author describes as currently being 'a declaratory principle' into 'a binding norm of international law in the foreseeable future'. Moreover, Eaton (2010: 801) observes that although R2P is yet to become a binding rule of international law, the unanimous agreement of states on the core aspects of R2P creates a 'heavy accumulated weight of *opinio juris*, both from opponents and advocates of responsibility to protect, that the Security Council should act in cases of mass atrocity crimes'.

R2P: politicization, contestation and dissent

Some scholars have considered R2P as mere political rhetoric and therefore unable to create an obligation for states to react in R2P situations. Stahn (2007) has issued firm criticism from a legal perspective. Following a textual analysis of paragraphs 138 and 139 of the World Summit Outcome document, the author argues that due to a lack of conceptualization and political will from UN member states, R2P remains for the moment a

declaratory principle as opposed to a legally binding norm. From a similarly legal standpoint, Loiselle (2013: 340) considers that despite having been implemented in the case of NATO's intervention in Libya in 2011, the emergence of an *opinio juris* concerning the obligation for the Security Council to intervene to protect civilians in events of genocide, crimes against humanity, war crimes, and ethnic cleansing is exaggerated. In agreement with this statement, Garwood-Gowers (2013: 616) argues that the Security Council's inaction in the light of the use of chemical weapons against civilians in Syria illustrates that NATO's intervention in Libya constitutes the exception rather than the norm as to what concerns civilian protection from crimes against humanity. Garwood-Gowers (2013: 617) conceives that, as witnessed in the case of Syria, protracted debates between the permanent members of the Security Council are likely to determine interventions on the grounds of R2P according on a 'highly selective' case-by-case basis and following a narrow interpretation of the criteria for action grounded in R2P.

Academics have highlighted that the contestation of R2P by a number of non-Western states prevents its normative evolution towards full internalization. In this way, Quinton-Brown (2013: 262) distinguishes between two types of states contesting R2P, rejectionists and cautious supporters, respectively. On one hand, R2P rejectionists are defined as states using rhetorical means to criticize R2P. On the other hand, cautious supporters are referred to as states expressing partial support to R2P. Quinton-Brown (2013: 265) lists six different themes around which R2P is criticized. These themes are namely the politicization, misuse and abuse of R2P, the issue of traditional sovereignty and non-interference, the aversion towards the use of force, the denunciation of a postcolonial form of ideology, the illegitimacy of the Security Council, and early warning deficiencies. Ziegler (2015: 2) acknowledges that although it has been successful in socializing the most reluctant states on the issue into accepting that sovereignty implies the obligation to respect basic human rights principles, R2P remains at the second stage of normative progress and is far from being fully internalized by the international community. Finally, Ziegler (2015: 18) specifies that the contestation of R2P is essentially divided into two main categories, diverging interpretations of state sovereignty and suspicion towards Western states concerning R2P implementation.

In sum, the academic debate on R2P has focused on whether this concept represented a concrete departure from the doctrine of humanitarian intervention that had been prevalent during the 1990s. Scholars have welcomed the fact that R2P could make humanitarian intervention and sovereignty compatible within the framework of the UN Charter and that it

emphasized that the highest degree of responsibility to protect civilians from mass atrocities lies with the state. Nevertheless, academics have shown their concern towards the lack of detail concerning the practical issues revolving around R2P. Critics have emphasized R2P's inefficiency in ensuring that the words used in the Summit outcome document translate into concrete acts on the ground. Scholar skeptical about R2P argue that this is explained by the fact that states have divergent interpretations of the concept, leaving it open to politicization and misuse by states.

B) Research Gap

The review of the academic literature published on the topic substantiates an abundance of research on the normative features and shortcomings of R2P. Scholars have issued robust conclusions suggesting that R2P has already reached the stages of norm emergence and norm cascade on Finnemore & Sikkink's (1998) scale of international norm dynamics (Rademkaer, 2012; Welsh, 2013; Ziegler, 2015). Given R2P's rapid rise along these two stages, the question of whether it has reached the stage of internalization remains. This thesis attempts to purvey the research gap by measuring the levels of support for R2P among the permanent members of the Security Council. In the light of their ability to veto the norm's implementation, the support of such states is crucial towards R2P's normative progress on the international stage. By analyzing the positions of permanent member states in the past decade of R2P's existence, this research's findings will contribute to the assessment of whether R2P has reached the stage of internalization. Complementary analysis will provide an explanation as to why R2P has presently succeeded or failed to reach this particular stage.

C) Theoretical Framework

This thesis aims at assessing the progress of the R2P norm through the constructivist theoretical framework of the norm 'life cycle'. In the context of the examination of R2P's normative progress, constructivism is the most appropriate theory to examine the aforementioned research questions. Although related to geopolitical interests, the debate revolving around R2P remains essentially articulated around two key normative concepts, state sovereignty and human rights. Neo-realism would not provide an adequate theoretical perspective to answer my research question because it conceives states as unitary actors with preferences driven by relative-power and material gain. From an alternative angle, liberalism would be an interesting theory to articulate an argument around the concepts of the democratic peace theory or the implications of liberal humanitarian intervention but remains

unable to account for the inter-subjective behavior of states and the manner in which their preferences change (Chandler, 2012). Checkel (1997: 473) recalls that while liberal scholars consider that norms can modify the incentives of actors, which in turn constrain their behavior accordingly, constructivists privilege the perspective of norms as common understandings from which the identity and interests of actors are built. In this way, constructivism distinguishes itself as the theoretical perspective that is most adapted to examine R2P's international norm dynamics because takes into account that norms, human agency and contingent events have a considerable impact on actor-behavior in international politics (Finnemore & Sikkink, 1998: 895-6).

Scholars have issued varying definitions of what constitutes a norm. Krasner (1982: 186) defines norms as 'standards of behavior defined in terms of rights and obligations'. Finnemore (1996: 22) adopts an equally succinct definition of norms as 'shared expectations about appropriate behavior held by a community of actors'. Raymond (1997: 128-129) conceives international norms as 'generalized standards of conduct that delineate the scope of a state's entitlements, the extent of its obligations, and the range of its jurisdiction. They are a medium through which commonly held expectations about what is appropriate behavior in various situations are conveyed to members of the state system'. Björkdahl (2002: 15-16) distinguishes two broad types of norms, namely regulative and constitutive norms. Whereas regulative norms are prescriptive rules that issue rights and obligations in the aim of ordering behavior, constitutive norms are intrinsically related to the identity and interests of social actors. In this way, the latter determine whether these specific actors or groups of actors are recognized as sharing a collective identity and a common set of interests.

This thesis will use the theoretical lens produced by Martha Finnemore and Kathryn Sikkink, although other scholars have developed theories in the field of norm advancement theory using the framework of the norm life-cycle (Sandholtz, 2008; Krook & True, 2010; Acharya, 2014). For reasons of consistency, Finnemore & Sikkink's (1998: 891) definition of norms as 'a standard of appropriate behavior for actors with a given identity' is used throughout this thesis. According to the authors of 'International Norm Dynamics and Political Change', norms are particularly relevant in world politics because they have a systematic impact on behavior. For this reason, Finnemore & Sikkink (1998: 894) argue that 'idea shifts and norm shifts are the main vehicle for system transformation'. To go further in their analysis of how norms influence behavior and may find themselves in the position of being a driver of political change, the authors coined the concept of the norm 'life cycle'

(Finnemore & Sikkink, 1998: 895). Accordingly, the three successive stages of a norm's potential life cycle are firstly 'norm emergence', then 'norm cascade' and finally, 'internalization' (Finnemore & Sikkink, 1998: 898). Acharya (2014: 405) concurs by arguing that the creation of a particular norm does involve multitudes of actors and is impacted by the issues and context around which it arises.

Scholarly literature on the topic (Welsh, 2013: 379; Acharya, 2014: 406) highlights that, as opposed to static concepts, norms are subject to processes that shape them over time. Therefore, it can be considered that as opposed to enjoying a linear development, the diffusion of norms is characterized by a fluctuating process of norm contestation where each agent attempts to shape the norm's meaning according to its own preferences. Chandler (2012: 229) further underlines the necessity to consider that norm dynamics can be impacted not only endogenously but also in an exogenous manner. This theoretical observation therefore underlines the necessity to examine both internal processes as well as external events impacting norm dynamics. Krook & True (2010: 109-111) distinguish two patterns of norm dynamics, internal dynamism and external dynamism. On one hand, the internal dynamism of norms is intrinsically related to the prospects for norm contestation between agents to shape the content and significance of norms. This process of norm contestation may lead to the redefinition of existing norms, or even the emergence of new ones. Finally, processes of ongoing contestation between agents for the norm's meaning can have varying consequences as the norm's dynamic may be expanded, ignored, or even reversed. On the other hand, a norm's external dynamism emerges from the wider context surrounding it, which is also referred to as its 'normative environment' (Krook & True, 2010: 110). Accordingly, this environment can offer space for agreement, innovation, or contestation around the norm. This framework of analysis is in turn useful to determine whether the external context surrounding the norm is likely to cause it to be expanded, ignored, or reversed.

According to Finnemore & Sikkink (1998:896), norms are promoted by so called 'norm entrepreneurs' who develop strong notions of what constitutes appropriate behavior in international politics. Norm entrepreneurs are essential in the stage of norm emergence because they raise awareness around issues and 'frame' an international debate around them. The goal of norm entrepreneurs is 'to secure the support of state actors to endorse their norms and make norm socialization a part of their agenda (Finnemore & Sikkink, 1998: 900). 'Framing' has been defined by Keck & Sikkink (1999: 90) as to 'mobilize information

strategically to help create new issues and categories, and to persuade, pressurize, and gain leverage over much more powerful organizations and governments'. Norm entrepreneurs are usually associated with individuals but they can also take the shape of non-governmental organizations (NGOs) or transnational advocacy networks. Notwithstanding, Ambrosetti (2010) warns that the success of norm entrepreneurs in promoting abstract ideas at the domestic or international level does not always solely depend on public scrutiny facing decision makers. Indeed, Ambrosetti (2010: 170) highlights that intra-professional social sanctions impact the success of norm entrepreneurship, especially in bureaucratic systems such as the United Nations. In this way, Ambrosetti (2010: 171) concludes that the lack of shared conceptions between decision makers of how to implement norms creates additional obstacles for the latter to be put into practice.

Keck & Sikkink (1999: 91) argue that transnational advocacy networks 'frame' to raise awareness among selected publics, urge governments and other stakeholders to act, and press for institutionalization. In a similar fashion, states also attempt to use interaction mechanisms that conform to their normative background. Indeed, Krook & True (2010: 111) argue that actors develop deliberate strategies so as to attach a particular significance to norms in order to suit their particular identities, perceptions and preferences. In a similar fashion, Raymond et al. (2014: 198) have coined the terms of 'normative reframing' and 'normative innovation'. The first term designates a situation where 'advocates promote new institutional rules as being supported by an alternative existing social model'. The second expression relates to when 'agents of change create and promote alternative institutional arrangements, both formal and informal'.

This assumption led scholars to attribute different behavioral patterns to states according to whether they were leading or emerging powers. Xuetong (2011) argues that hegemonic states use three different interaction mechanisms. Firstly, hegemonic powers use an 'example-imitation' interactive model implying that other states copy the behavior of the leading state because they perceive it as a factor in achieving successful development (Xuetong, 2011: 241). Secondly, the 'support-reinforcement' model asserts that hegemonic states choose to provide assistance to states acting in conformity with norms they approve of in order to encourage non-complying states to join this particular normative behaviour (Xuetong, 2011: 242). Thirdly, the 'punishment-maintenance' model explains that a hegemonic power decides to repress states that deviate from norms advocated by that very hegemonic state in order to redress the behavior of these specific states, discouraging further

non-compliance towards that norm (Xuetong, 2011: 243). Xuetong (2011: 245) explains that hegemonic states display a strong tendency of focusing on norm diffusion among their allies. Finally, Xuetong (2011: 245) argues that hegemonic powers also tend to promote 'double-standard norms', leading them to pressure states to adopt norms that they do not comply with themselves.

Other scholars have focused on the behavior of emerging powers relative to norm diffusion (Acharya, 2011; Xiaoyu 2012). Accordingly, Xiaoyu (2012: 365) makes the assumption that emerging countries tend to adhere to some international norms while attempting to reshape others, turning norm diffusion into a 'two-way process'. On one hand, emerging powers are 'norm-takers' in order to perpetuate an image of themselves as responsible stakeholders within the international system. On the other hand, emerging states are 'norm-makers' when they perceive themselves as capable of challenging the normative assumptions of the hegemonic system. The latter behavior has been described as norm subsidiarity, which Acharya (2011: 97) defines as the 'process whereby local actors create rules with a view to preserve their autonomy from dominance, neglect, violation, or abuse by more powerful central actors'. It has to be noted that norm subsidiarity is distinguished from the concept of norm localization, which is defined as 'a complex process and outcome by which norm-takers build congruence between transnational norms […] and local beliefs and practices' (Acharya, 2004: 241). The theories discussed in this paragraph all derive from the assumption that the adhesion, rejection, or indifference of states towards international norms is fluctuating according to the identity, perceptions, and preferences developed by each specific state as well as their continued interaction with other states.

The fluctuating nature of norm diffusion implies that following their emergence norms can break through in order to obtain the adherence of a wider amount of states. The tipping point between the stages of norm emergence and norm cascade happens when norm entrepreneurs have convinced a sufficient amount of states to support and adopt their norm. The theoretical framework suggests that a tipping point is reached when approximately one third of states in the international system adopt the norm (Finnemore & Sikkink, 1998: 901). After the tipping point has been attained and the stage of norm cascade begun, Finnemore and Sikkink (1998: 902) argue that more states start adopting the norm at a higher pace due to an 'active process of international socialization intended to induce norm breakers into norm followers' . At the second stage of the norm 'life cycle', this socialization mechanism is comparable to a system of 'peer-pressure' where norm entrepreneurs use appropriate

organizational platforms in order to pressure targeted states to adopt the norm through the application of new laws and policies or treaty ratification. Finnemore & Sikkink (1998: 902) also recognize that during the stage of norm cascade, norm adoption becomes part of an identification process that states use to be perceived as part of an international society.

The last stage of the norm 'life cycle' is when actors have internalized the norm until the point where they consider the norm as taken for granted and conform to it in automatic fashion (Finnemore & Sikkink, 1998: 904). Finally, Finnemore & Sikkink (1998: 906) propose several criteria to determine the likelihood whether a certain norm can go through each and every stage towards internalization. These criteria are domestic legitimacy of states, the prominence of the states or organizations promoting the norm, the intrinsic qualities of the norm, and its proximity to pre-existing normative components.

Finally, Panke & Petersohn (2011) argue that international norms may disappear under particular circumstances. Accordingly, international norms degenerate if there are actors who challenge it and no central enforcement authorities such as states or international organizations willing or capable to punish non-compliance (Panke & Petersohn, 2011: 721). The speed of norm degeneration is impacted by the precision of the norm's definition as well as the stability of the international context surrounding the norm. Norms are more likely to degenerate quickly when their definition is precise and are surrounded by an unstable international environment. Norms are more likely to degenerate slowly if their definition remains imprecise and are accompanied by a stable international context. In the end, the degeneration of international norms either leads them to be substituted by rival norms or to disappear in the mere absence of competing norms (Panke & Petersohn, 2011: 723-726).

Chapter 3: Research Design

A) Methodology

This thesis will use the methodology of political discourse analysis in order to examine the content of official government statements made by the permanent members of the Security Council, also known as 'P5' states. The result of this analysis is set to determine each of the P5's level of support for R2P along three possible categories. These categories are 'strong supporter', 'cautious supporter', and 'rejectionist' (Quinton-Brown, 2013). Strong supporters are states that express public support for R2P in principle and practice. Strong supporters of R2P pressure other states to join in full support of the norm. Cautious supporters are states that express public support for R2P in principle but disagree with the way in which it is currently being implemented. Cautious supporters demand changes in the way R2P is put into practice before displaying full adherence to the norm. Rejectionists are states that repudiate R2P in both principle and practice. Rejectionists show no sign of support for R2P and express utmost dissatisfaction towards R2P in both principle and practice.

	Strong Supporter	Cautious Supporter	Rejectionist
Level of Support:	Subscribes to R2P as formulated in the 2005 World Summit. Publically supports R2P as a principle. Supports R2P implementation without reservations, including in cases involving the use of force.	Subscribes to R2P as formulated in the 2005 World Summit. Publically supports R2P as a principle. Support of R2P is nuanced by strong reservations on R2P's interpretation and implementation.	Rejects R2P as formulated in the 2005 World Summit. Publically calls for R2P to be revoked. Criticizes R2P as an illegitimate principle and a source of abuse of the political sovereignty of states.

Table 1: Categories of state levels of support for R2P

My application of this methodology will rely on the framework outlined by Fairclough & Fairclough (2012) in their book, *Political Discourse Analysis*. More specifically, I will extract information from these sources by basing myself on Fairclough & Fairclough's (2012:45-8) structure of practical arguments. This thesis will identify distinct yet inter-linked components of political discourse in order to better analyze the claims for action, goals, values and circumstances invoked by the representatives and delegations of the permanent members of the United Nations Security Council on R2P in the official speeches, reports, and interviews analyzed in this thesis. The latter methodology is particularly useful to distinguish the values and motives invoked by actors in their statements. Therefore, the structure of practical reasoning presented by Fairclough & Fairclough (2012: 48) also assists this thesis in distinguishing the claims for action, goals, and circumstances mentioned in the official statements from P5 states to the General Assembly in the framework of the dialogue on R2P.

The position of each of the five permanent member states of the Security Council will be analyzed according to a timeline composed of three distinct timeframes. The first timeframe goes from June 1st 2005 and the beginning of the negotiations of the 2005 World Summit until 12th January 2009, when Secretary General Ban Ki-Moon released his first report on R2P, which opened the debate on R2P within the UN General Assembly on a yearly basis (Ban, 2009). The first timeframe examines the positions of the respective P5 states during the 2005 World Summit, including this event's negotiations phase, and the vote on Security Council Resolution 1674 on April 28th 2006. The second timeframe goes from January 12th, 2009 until 17th March 2011 and the vote of Security Council resolution 1973, which authorizes NATO's Operation Unified Protector designed to implement R2P in Libya. The elements examined in this timeframe are the P5's respective stances on R2P during the General Assembly debate and their positions concerning the vote on resolution 1973. The third timeframe goes from March 17th 2011 until the present. The elements investigated in this timeframe are the P5's respective positions on the manner in which NATO's intervention in Libya was carried out, their stance on intervening in Syria for R2P reasons, as well as their discourse on R2P during the General Assembly debates on R2P.

The aim of this timeline will be to provide an analysis of each of the P5 states' positions on R2P or R2P-related situations between three different phases. The first timeframe constitutes R2P's institutionalization phase where the principle becomes unanimously endorsed at the 2005 World Summit and reaffirmed by Security Council resolution 1674 in 2006. The analysis conducted within this timeframe aims to determine each of the P5's initial

perspectives on R2P's institutionalization in the outcome of the 2005 World Summit. This includes those aspects of the concept P5 states wanted to include or withdraw from the outcome document of the World Summit, and their position on R2P's appearance for the first time in a Security Council document, as happened in the case of resolution 1674. As part of the second timeframe, the research aims to determine each of the P5's positions on R2P at a time when the discussion on R2P switched to a more comprehensive debate designed to specify under which conditions R2P was to be implemented. Therefore, research in this timeframe will focus on determining the P5's different points of view concerning prevention and the use of force in R2P situations. Research in the second timeframe is also set to analyze the P5's position on resolution 1973, which set a precedent by authorizing the use of force for R2P reasons for the first time, and allowed the demonstration of the R2P principle in practice in the case of NATO's intervention in Libya. The third timeframe is set to research whether P5 states modified their stance on R2P following its demonstration in Libya and more importantly, measure their level of support for R2P following this event. In order to assess the latter, research within this timeframe will focus on the P5's statements within the General Assembly debate on R2P as well as on their position concerning the question of intervening in Syria on the grounds of R2P.

	Timeframe 1	Timeframe 2	Timeframe 3
Period:	June 2005 - January 2009	January 2009 - March 2011	March 2011 - Present
Elements analyzed:	P5's positions in: - 2005 World Summit negotiations. - Security Council vote on resolution 1674.	P5's positions in: - General Assembly debate on R2P. - Security Council vote on resolution 1973.	P5's positions in: - General Assembly debate on R2P. - Discussions on intervening in Syria on R2P grounds.
Questions asked:	What are the P5's initial positions concerning the institutionalization of R2P?	What are the P5's positions concerning the implementation of R2P?	What are the P5's levels of support for R2P following its implementation in Libya?

Table 2: Research Timeline

This thesis uses government statements and reports made by representatives of the United States, the Russian Federation, the People's Republic of China, the United Kingdom, and France in the framework of the dialogue on R2P taking place within the General Assembly of the United Nations since 2009. This thesis will use statements made in 2009, 2010, 2011, 2012, 2013, and 2014 by the aforementioned states.[1]

B) Hypotheses & Expectations

The empirical analysis will need to demonstrate that R2P is strongly supported by each of the P5 states and widely accepted by them as a habitual procedure in order to conclude that R2P has reached the stage of internalization. This implies that at that particular stage, the substance and quality of the R2P norm should be uncontested among state actors. R2P can be deemed to have reached the stage of internalization if the practice and intrinsic values of the norm as well as its interpretation are unquestioned. In addition, R2P is internalized if the states unrestrictedly accept and support it so as to conform to the usual standards and practices of civilian protection in events of genocide, war crimes, crimes against humanity, and ethnic cleansing. This also means that the application of peer-pressure by a majority of states on outliers that do not support or conform to the R2P norm is a further sign of internalization. It can also be considered that R2P is internalized if the norm has enjoyed repeated application over the past decade.

The empirical analysis will focus on whether R2P has reached the stage of internalization. In view of the unmatched importance of the five UN Security Council permanent member states in providing a legal basis in authorizing the practice of R2P, these states are the unit of analysis in this section. As mentioned in the previous chapter, the actors' perception of a norm as being habitual behavior in world politics is an essential feature of a norm's internalization process. Consequently, Security Council states are the most relevant actors to observe in the frame of this research because R2P cannot be put into practice on a comprehensive and regular basis without their approval. In this way, the analysis will examine in the respective cases of the United States, the Russian Federation, the People's Republic of China, the United Kingdom and France to what extent these states have internalized R2P. To conduct my research on this particular stage, the analysis will rely on

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[1] These documents can be found on the following website:
www.responsibilitytoprotect.org/index.php/about-rtop/government-statements-on-rtop

official statements made by these states at the General Assembly, United Nations and government reports, as well as interviews of state representatives.

This thesis will observe whether NATO's operation Unified Protector resulted in some P5 states adopting a 'permissive' or 'restrictive' interpretation of R2P and whether some of these P5 states publicly embrace or reject the norm in its current form. A permissive interpretation of R2P tends to be displayed by states considering that there is a moral obligation for states to intervene in cases of crimes against humanity. This includes the necessity to engage in coercive intervention within the territory of the relevant state with or without the approval of formal bodies such as the Security Council or regional organizations if the emergency of the situation requires it. States having a restrictive interpretation of R2P emphasize the importance to abide by UN Charter based rules such as refraining from the threat or use of force, and that coercive interventions on the grounds of R2P need to be conducted with the consent of the host state. This section's analysis also relies on academic literature focusing on the attitudes of P5 states towards R2P following the institutionalization of the norm to complement my research. In accordance with Finnemore & Sikkink's (1998) theoretical framework, this section's analysis will consider that the stage of internalization will only be reached if the UN Security Council permanent member states have taken R2P for granted and unquestionably conform to it.

Several alternative paths are to be considered if R2P has not yet reached the stage of internalization. If this stage has not been reached for reasons of ongoing debate between P5 states on conceptual matters related to R2P's practical aspects, then it means that R2P's normative progress remains confronted by norm contestation between the norm's main stakeholders within the Security Council. In this situation, norm contestation can still benefit the diffusion of R2P since further debate is likely to push P5 states to reach a consensus on the way in which R2P should be implemented. Should norm contestation yield no tangible consensus between the permanent members of the Security Council, another alternative scenario can be norm degeneration. If the Security Council remains a deadlocked institution in making R2P a functioning principle, there is the hypothetical scenario where the norm could degenerate until its complete disappearance. The conjunction between a lack of conceptual progress in the political debates on R2P and the lack of consensus on when states should yield responsibility to protect civilians to the international community is likely to result in protracted discussions within the Security Council. As it may become a source of standstill rather than concerted action, Security Council paralysis in R2P situations may

delegitimize the norm in the long-term as states could perceive R2P as a false solution to urgent humanitarian crises. In sum, three tangible yet very different scenarios may unfold concerning R2P's normative progress. Either R2P is internalized as a norm by the permanent member states of the Security Council, either these states pursue the discussions on conceptual matters related to R2P implementation in order to reach a consensus, or these states lose interest in the norm as they deem that it did not yield the expected results in solving the problem of international inaction in cases of crimes against humanity.

Different factors could account for the scenario of R2P reaching the stage of internalization. For instance, the presence of a hegemonic actor that supports R2P within the Security Council would have the potential to encourage states to adhere to the norm for fear of sanctions, desire for rewards, or to simply follow the example set by the hegemonic state (Xuetong, 2011). Alternatively, developing states within the Security Council such as China and Russia could act as 'norm takers' and provide strong support to R2P in order to be perceived as responsible stakeholders by the rest of the international community. By this logic, these states could engage themselves in the process of making their domestic practices adhere to the norm by protecting civilians within their borders at risk of being victims of genocide, war crimes, crimes against humanity, and ethnic cleansing (Acharya, 2004). The argument that norm localization could be a factor explaining Russia and China's potentially strong support for R2P nevertheless rests on the assumption that these states will not misuse the process in a selective manner, serving their domestic interests under cover of artificially complying with the norm.

The factors that could possibly explain why R2P has not reached the stage of internalization are all linked with potential contestation of the norm. States dissatisfied with the norm could use norm subsidiarity as a strategy to challenge R2P and promote an alternative set of normative assumptions that conforms to their identities, interests, and preferences (Acharya, 2011: 97). Another hypothetical explanation for the scenario in which R2P could not reach the stage of internalization is the persistence of the contestation of the norm within the Security Council. This contestation may include criticism emphasizing R2P's potential for misuse, its interference with the territorial sovereignty of states, the aversion towards the use of force in international relations, the perspective of R2P as a postcolonial concept, or early warning deficiencies (Quinton-Brown, 2013: 265).

Chapter 4: Empirical Analysis

A) <u>United Kingdom</u>

During the negotiations of the 2005 World Summit, the United Kingdom supported the institutionalization of R2P. The British position that there needs to be a principle emphasizing the importance of preserving civilian lives from crimes against humanity has been shaped by the events that led to the United Kingdom's intervention in Kosovo in 1999. Prime Minister Anthony Blair delivered a speech at the Chicago Economic Club in April 1999 that emphasized the necessity for the international community to react in the face of the perpetration of genocide and crimes against humanity. The speech, dubbed as the 'Blair doctrine' was delivered as follows:

> 'We live in a world where isolationism has ceased to have a reason to exist. By necessity we have to cooperate with each other across nations. Many of our domestic problems are caused on the other side of the world… We are all internationalists now, whether we like it or not. We cannot refuse to participate in global markets if we want to prosper. We cannot ignore new political ideas in other countries if we want to innovate. We cannot turn our backs on conflicts and the violation of human rights within other countries if we want still to be secure… Acts of genocide can never be a purely internal matter' (Bellamy, 2009a: 25).

This allocution, in a similar fashion to Francis Deng's concept of sovereignty as responsibility acknowledges that the international community bears the duty to stop turning a blind eye to crimes against humanity wherever they are committed, but also that it carries the responsibility to not let such crimes happen unchecked. This position remained the United Kingdom's during the negotiations preceding the 2005 World Summit, where British diplomats attempted to persuade reluctant representatives of developing states belonging to the G77 and the non-aligned movement (NAM) to mention R2P within the final declaration (Bellamy, 2009a: 89). The United Kingdom's support for R2P continued in the aftermath of the World Summit, with London and Paris joining efforts in pushing the Security Council to adopt resolution 1674. Adopted in April 2006, resolution 1674 provided additional legitimacy to R2P by recalling that the Security Council:

'4. Reaffirms the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity' S/RES/1674 (2006).

During the first timeframe, which as a reminder is between 21st July 2009 and 30th October 2011, the United Kingdom demonstrated further support for making R2P an operational principle. After having welcomed Ban Ki-Moon's report *Implementing the responsibility to protect* published earlier in 2009, the United Kingdom's final remarks at the first-ever General Dialogue on R2P were unequivocally supportive of the concept:

'I will conclude by saying a little about what I think we should be trying to achieve here, that is an R2P-culture, a culture of prevention that is as much about responsible sovereignty as it is international assistance. A culture that in the long-term will help us to prevent mass atrocities and reduce conflict and the cost of conflict. A culture that will help us to build an international system which is better equipped and more effective at preventing and responding to conflict. A culture which fosters our ability to reach consensus on timely and decisive action. I don't think anyone here would disagree with those goals. And I very much hope that none would seek to delay implementation through procedural or administrative means. This is too important to us all – we made a commitment in 2005, a commitment to practical action. We must now live up to that' (United Kingdom Mission to the United Nations, 2009).

The United Kingdom is doing more than simply conveying its agreement with R2P as a concept in this statement. By calling for the establishment of a 'R2P-culture', London is encouraging other states to make the protection of civilians from mass crimes an every-day priority. The use of the term 'R2P-culture' is significant as it implies that the concept should become habitual and unquestioned behavior among UN member states. Additionally, Britain is warning other member states that they should not try to obstruct the process of R2P implementation in the light of the engagement they took at the World Summit. Two years later in 2011, the United Kingdom issued a position endorsing 'the continued efforts to refine and to implement the principle of responsible sovereignty, which is the corollary of the principle of responsible sovereignty' (United Kingdom Mission to the United Nations, 2011). From a theoretical perspective, the British General Assembly statements illustrate that

London has attempted to trigger a behavior categorized by Xuetong (2011: 241) as the 'example-imitation' interactive model. By calling on states to respect what they agreed upon in 2005 and urging them not to obstruct R2P implementation, the United Kingdom is pressuring other states to follow its example by fully adhering to R2P and considering it as a concept they ought to put into practice as soon as possible in exchange of tangible benefits in terms of worldwide civilian protection.

The second timeframe running from 17th March 2011 until present is indicative of whether NATO's intervention in Libya modified the United Kingdom's perspective on R2P. The position of the government of the United Kingdom remained consistent with the one it displayed during the first timeframe. It led the efforts alongside France and the United States to submit draft resolutions to the Security Council advocating an intervention to protect civilians in Libya. The results of these efforts were resolutions 1970 and 1973 providing NATO with a mandate to establish a no-fly zone over Libya's aerial territory. London's stance remained supportive of an active implementation of the R2P concept and diplomats in the Foreign Office were convinced that NATO's intervention in Libya was an example of its successful demonstration. In a General Assembly statement on 5th September 2012, almost a year after the end of the operation, a British representative at the UN defended NATO's intervention in Libya in the following terms:

> 'On Libya, we believe the UN Security Council-mandated action taken by NATO was necessary, legal and morally right. By taking prompt action, the UN Security Council and NATO saved tens of thousands of people from becoming victims of crimes against humanity and war crimes' (United Kingdom Mission to the United Nations, 2012).

Although NATO's operation Unified Protector saw the participation of British soldiers, materiel, and logistics, London found it more difficult to convey the credibility of its humanitarian message to its domestic public. As a consequence of the United Kingdom's participation in the invasion of Iraq in 2003, the British public was divided between their government's calls to save civilians in Tripoli and Benghazi from Qaddafi's wrath and the memory of their country's illegal violation of a third state's territorial sovereignty for dubious motives. A poll issued by Ipsos MORI in April 2011 reveals that fifty percent of the British public supported David Cameron's decision to intervene in Libya while forty-nine percent opposed it (Latter, 2011). Sir John Chilcot's inquiry on the reasons that informed Blair's

decision to participate in the Iraq war were ongoing at the time of the events and made the British public wary towards having their country reproduce the same mistakes of eight years earlier.

An illustration that the implementation of R2P in Libya has not modified the United Kingdom's position on the concept is London's stance on the ongoing conflict in Syria. The United Kingdom has pushed for coercive intervention alongside France and the United States in the case of Syria by submitting four draft resolutions on the situation to the Security Council between 2011 and 2014. The United Kingdom's support for coercive intervention in Syria conducted on the grounds of R2P is apparent in the following statement:

> 'The overwhelming majority vote in favor of the UN General Assembly Resolution on Syria on 3rd August 2012 sent a clear statement that the world condemns escalating violence and human rights violations by the Syrian regime. But the collective response by the international community to the situation in Syria has been thwarted by a lack of consensus in the United Nations Security Council. We reiterate the call for all members of the Security Council to shoulder their responsibility in taking the decisive action required to compel the Assad regime to cease the violence and engage in a political process' (United Kingdom Mission to the United Nations, 2012).

In the years that followed, statements issued by the representatives of the United Kingdom to the General Assembly conveyed a similar message, highlighting that the controversy that surrounded Qaddafi's death in the final stage of NATO's intervention in Libya did nothing to change London's position on R2P. In 2013, the United Kingdom declared that 'the situation in Syria […] is a clear example of where the state has failed to protect its citizens' (United Kingdom Mission to the United Nations, 2013). One year later, the British representative to the General Assembly stated that 'the situations in Syria and Iraq, where hundreds and thousands have been killed and minority groups persecuted, highlight the need for the international community to stand firm and take decisive action' (United Kingdom Mission to the United Nations, 2014). The British government's stance on R2P has to be nuanced by the lack of support for R2P it could generate from its domestic public. In this way, David Cameron's proposition to intervene in Syria following the alleged use of chemical weapons was denied by the House of Commons in late August 2013.

In conformity with the 'Blair doctrine' of liberal interventionism and its desire to lead an 'ethical foreign policy', London has promoted the implementation of R2P's three pillars at the highest level of the United Nations system throughout the timeline of this research (Brockmeier et al., 2014: 432). This is illustrated by the United Kingdom's political discourse on R2P, which focuses on the moral necessity of working towards protecting civilians. Notably, the British Foreign Office interprets R2P in a permissive way, as it has applied sanctions and coercive intervention on the grounds of R2P in the case of Libya. London has also put diplomatic pressure on other states to adhere to R2P in the Security Council by submitting several draft resolutions to implement R2P in Syria, and exhorted states in the General Assembly to live up to the commitment they made at the 2005 World Summit. Last but not least, the United Kingdom's call to establish a 'R2P culture', suggests its desire to turn R2P into a habitual and unquestioned means of protecting civilians from crimes against humanity. Therefore, it can be concluded that the United Kingdom is a strong supporter of R2P.

B) France

During the negotiations leading up to the 2005 World Summit, France's position was to support R2P (Bellamy, 2006: 152). France's stance on this issue was informed by its participation in two large-scale humanitarian interventions the previous decade. The French army launched Operation Turquoise in June 1994 in order to stabilize Rwanda and attempt to halt the ongoing genocide that had taken place in the country. Despite its controversial reception because of France's role in training and equipping parts of the Hutu-dominated army that perpetrated mass killings and the relatively late arrival of its troops to halt the genocide, the French intervention was primarily justified for humanitarian motives. In this regard, French Prime Minister Alain Juppé wrote in a news column that France 'had a real duty to intervene in Rwanda… to put an end to the massacres and protect the populations threatened with extermination' (Wheeler, 2000: 231). In 1999, France also joined the NATO coalition that intervened in order to protect civilians in Kosovo from ethnic cleansing. The French position on the R2P norm is rooted in the concept of *droit d'ingérence* (the right to humanitarian interference) coined by former Minister of Foreign Affairs Bernard Kouchner in the mid-1990s. This term has advocated a broad and permissive interpretation of humanitarian intervention, which is presently still to be found in the *Quai d'Orsay*'s conception of R2P. France has continued its efforts to make R2P ready for practice and pushed to legitimate it in the years following the World Summit. As already mentioned, Paris has taken initiative

alongside London to promote resolution 1674, reaffirming the Security Council's commitment to R2P (Brockmeier et al., 2014: 440).

When entering the second timeframe, France was a strong supporter of R2P as it issued full public support for the norm's implementation. In a statement to the General Assembly in 2009, France encouraged other states to further their efforts to make R2P an operational concept. As such, French representative to the UN Jean-Pierre Lacroix declared:

> 'The responsibility to protect already largely exists; our heads of state and government recognized it as a universal principle nearly four years ago. We are therefore meeting not to discuss the definition of the concept, but rather to debate the means to strengthen its implementation and its respect' (Permanent Mission of France to the United Nations, 2009).

As France considers R2P to be institutionally embedded within the United Nations system, its stated objective for the further discussion of the norm within the General Assembly is to improve the procedure of R2P implementation along its three pillars. In 2009, the French representative to the UN spoke out to the General Assembly in the following terms:

> 'The responsibility to protect is certainly not only the response to a crisis situation, its success depends on the ability of all of us to strengthen the prevention of mass crimes. But the responsibility to protect would not be complete without the third pillar that gives it its meaning – that is the international community's reaction when one of the four crimes is about to be or is being committed' (Permanent Mission of France to the United Nations, 2009).

The latter quote particularly shows that France fully adhered to R2P in both principle and practice as it underlines the importance of both prevention and action to protect civilians from crimes against humanity. France's political discourse on R2P is based around the respect for human rights and good governance. France also gives a prime importance to international law as an institutional barrier preventing R2P crimes to take place. France particularly promotes the respect for 'human rights law, international humanitarian law and refugee law' (Permanent Mission of France to the United Nations, 2009). In this manner, France considers that international legal institutions such as the International Criminal Court are essential to guarantee that R2P crimes do not go unpunished and has pushed UN member to complete the ratification process of the Rome Statute (Permanent Mission of France to the United Nations,

2011). France attempts in this way to locate R2P within a network of international institutions fighting impunity against genocide, war crimes, crimes against humanity, and ethnic cleansing. France conveys the message that R2P is an integral piece within the wider puzzle of international law. France's strategy of framing R2P further legitimizes the concept and brings a sense that all UN member states ought to become norm followers in the spirit of international law, while norm breakers isolate themselves from the rest of the international community.

Concerning the situation in Libya during the Arab Spring, the French government was an unmitigated supporter of humanitarian intervention on the grounds of R2P. France, as mentioned above, submitted alongside the United Kingdom the drafts that led to Security Council resolution 1970 and 1973 calling for and authorizing the international community to protect civilians in Libya. In a joint effort with the United Kingdom, France took a leading role within the NATO coalition performing Operation Unified Protector by providing troops, logistics, and materiel to the mission, notably by mobilizing its aircraft carrier, the *Charles de Gaulle*. For France, R2P effectively stood the test of demonstration in the case of Libya. Paris considers Operation Unified Protector as much of a success as the other peacekeeping operations it had recently been involved in on the African continent. French representative to the UN Gérard Araud declared at the General Assembly that 'in Libya, Cote d'Ivoire, Mali, and Kenya, the international community stood up to its responsibilities and effectively prevented atrocities' (Permanent Mission of France to the United Nations, 2013). The French public did not receive their country's role in Libya with as much hostility as in the United Kingdom. According to an Ipsos MORI poll released in April 2011, sixty-three percent of the French public expressed support for Operation Unified Protector (Latter, 2011). This could be due to the fact that as opposed to the British political system, the French president, as head of the armed forces, is the sole decider when it comes to war. This prevented heated debates taking place within the *Assemblée Nationale*. Careful attention had also been paid by French media, political, and intellectual circles towards promoting the intervention in Libya as an act to defend human rights. Last but not least, France had not taken part in the intervention in Iraq in 2003 and the public's reaction towards intervention in Libya was therefore tainted with less suspicion than in the case of the United Kingdom and the United States. Consequently, NATO's intervention in Libya did little to modify France's position of support towards R2P.

As it remained an advocate of R2P in both principle and practice after NATO's intervention has ended, France spent the third timeframe in support of coercive intervention

against the Assad regime in the case of mass crimes in Syria. Although France shares a similar position within the Security Council as the United States and the United Kingdom, it has been confronted by Russia and China's reluctance to implement R2P's third pillar in Syria. In the context of the use of chemical weapons in Syria in late August 2013, France attempted to apply diplomatic pressure on the international community in order to react to this atrocity. French representative Gérard Araud declared in front of the General Assembly:

> 'The Syrian government is in the process of murdering its own people. More than 100,000 people have died. The Syrian government, while showing complete indifference, used its air assets and then artillery against civilian neighborhoods, in violation of international humanitarian law, and is now using chemical weapons. It first of all tested the waters by using them in a limited way. It's now using them on a massive scale, meetings focusing on "never again" will do absolutely nothing to respond to the brutality of a regime that wants to murder its own people' (O'Donnell, 2014: 575).

France has also been at the forefront of combating gridlock within the Security Council (O'Donnell, 2014: 576). It acted accordingly by proposing its permanent members to collective restraint in their use of veto in cases of mass crimes, a suggestion originally included in the ICISS report on R2P. On this topic, French representative François Delattre stated:

> 'When mass atrocities are committed, the Council must not add to the failure of prevention by failing to act. In Syria, four double vetoes did not allow us to take the necessary preventive measures and to put an end to impunity for the perpetrators of these crimes. This is why France is working with its partners in order to regulate the use of the veto in cases of mass crimes, in the framework of a voluntary and collective commitment of the Permanent Members' (Permanent Mission of France to the United Nations, 2014).

In sum, France supports R2P's in both principle and practice. Throughout its speeches to the General Assembly, France has shown its adherence to values of human rights, good governance, and responsible sovereignty in pressuring states to live up to their responsibility to protect their own citizens from R2P crimes. Furthermore, France has called for states to improve R2P prevention by empowering international justice and regional organizations as well as creating local mechanisms of conflict prevention on their domestic territory. France

has been a supporter of coercive intervention by the international community in cases of R2P crimes so as to implement the concept's third pillar. Last but not least, France urged other permanent Security Council to be more responsible in their veto uses in such situations. In view of the above, France's position on R2P can be qualified as being one of strong support.

C) The United States

Six months before the World Summit, the United States brought up their own version of the concept of responsible sovereignty with the 2005 National Defense Strategy stating that 'it is unacceptable for regimes to use the principle of sovereignty as a shield behind which they can claim to be free to engage in activities that put enormous threats to their citizens, neighbors, or the rest of the international community' (Bellamy, 2009a: 24). Washington's conception of responsible sovereignty differed from the one originally issued by Francis Deng in the sense that it did not only focus on state responsibility towards respecting human rights but also the responsibility of states to cooperate against terrorism and the proliferation of weapons of mass destruction. In the light of the United States' intervention in Iraq, this stance attracted skepticism from the international community. Many developing states feared that under this perspective, R2P could be misused as a vehicle for foreign interference in their domestic affairs.

During the negotiations leading up to the 2005 World Summit, the United States adopted a position that reflected the prevailing influence of neo-conservative policymakers within the Bush administration. Washington opposed any criteria that could govern or restrict its decision-making concerning the use of force. American ambassador to the UN John Bolton expressed his country's view that the primary responsibility to protect civilians lies with the state whereas the international community, although eligible to act, would not be legally obliged to do so (Bellamy, 2009a: 86). The United States was also against the ICISS suggestion that P5 states should refrain from vetoing Security Council resolutions in R2P situations. In the same vein, the United States joined the United Kingdom in arguing that interventions should not require Security Council authorization in urgent situations. This position was in marked contrast with the one adopted by developing countries of the G77 and the non-aligned movement, which advocated the necessity for any intervention on the grounds of R2P to be approved by the Security Council. Although the final draft that was to be submitted for endorsement at the summit did not satisfy Bolton on the issue of Security Council authorization, US Secretary of State Condoleeza Rice decided to overrule him by

approving the 2005 World Summit Outcome Document following a discussion with General Assembly President Jean Ping, who was in charge of the negotiations (Bellamy, 2009a: 90). The United States' approval of this document was confirmed as it voted in favor of Resolution 1674, which reaffirmed the Security Council's commitment towards R2P.

With the arrival of Barack Obama in the White House in 2009, the US president's foreign policy preferences resulted in the United States increasing its support for R2P. During the second timeframe, Washington's speeches on R2P in the framework of the General Assembly have greatly emphasized the importance of prevention and early warning mechanisms in order to avoid mass crimes on a large scale. In this aspect, the United States has called for the increase in means provided to the United Nation's mediation teams (United States Mission to the United Nations, 2009). Furthermore, the Obama administration has proved to be particularly proactive on this front by creating the U.S. Atrocities Prevention Board. In this way, the Genocide Prevention Task Force was created in 2009. Importantly, this body issued a recommendation that the permanent members of the Security Council should commonly consider to renouncing their use of veto in R2P situations (Reinold, 2011: 81). The institutionalization of the Atrocity Prevention Agenda notably shows the extent to which US policymakers have made the prevention of crimes against humanity a priority in US national security and foreign policy (Junk, 2014: 551). The United States remain relatively cautious concerning coercive interventions on the grounds of R2P as it does not want it to create a legally binding obligation for the international community to intervene in situations of grave humanitarian distress. US ambassador to the UN Rosemary DiCarlo's statement to the General Assembly adequately illustrates Washington's position on R2P:

> 'Where prevention fails, and a state is manifestly failing to meet its obligations, we also need to be prepared to consider a wider range of collective measures. Only rarely, and in extremis, would these include the use of force' (United States Mission to the United Nations, 2009).

This declaration mirrors that in 2009, although the United States supported R2P in principle, it wished to maintain decision-making over coercive intervention on a case-by-case basis. In view of preserving full-control over its use of force, Washington wanted to avoid R2P resulting in a legal obligation for the United States to mobilize troops in cases of crimes against humanity (Rotmann et al., 2014: 365). The context around which this statement was issued explains the caution displayed by the United States concerning the use of force.

Rosemary DiCarlo's declaration was pronounced during the first General Assembly debate on R2P. Consequently, the United States' position should not be interpreted as restrictive towards the use of force on R2P grounds but rather as a reminder to other delegations that the 2005 World Summit Outcome Document did not include a clause legally binding the international community to conduct coercive intervention in R2P situations. In light of the support brought to R2P's three pillars and the efforts made by the Obama administration to strengthen preventive measures, the United States can be considered to have been a strong supporter of the concept during the second timeframe of this research.

The humanitarian crisis in Libya is a compelling case to determine whether the first demonstration of the use of force on R2P grounds would change Washington's position on R2P. In this case, the United States voted in favor of Security Council resolutions 1970 and 1973, respectively placing sanctions on the Qaddafi regime, and authorizing a no-fly zone to protect over Libya in order to protect civilians. Furthermore, the United States' support for coercive intervention for R2P reasons was illustrated by the US army providing the NATO coalition with logistical and intelligence resources. It was the explicit nature of Qaddafi's threats towards his civilian population that convinced the Obama administration to support R2P implementation in Libya (Chesterman, 2011: 282). Significantly, the United States has used R2P language to justify the necessity to intervene. For example, a legal advisor of the State Department is quoted as saying that 'Qaddafi has forfeited his responsibility to protect his own citizens and created a serious need for immediate humanitarian assistance and protection' (O'Donnell, 2014: 566). The United States' decision to avoid direct involvement of its troops in the implementation of the no-fly zone over Libya is nuanced by the lack of domestic support and the stretched military resources that confronted Washington at the time. The American public perceived military interventions with skepticism since the 2003 Iraq war (Junk, 2014: 536). Additionally in the spring of 2011, US armed forces were still stationed in both Iraq and Afghanistan, which made the Obama administration reluctant to open a third front in the Middle East. The United States' stance on R2P therefore remained one of strong support, as US Ambassador to the UN Rick Barton was adamant about the way the international community had implemented R2P in Libya:

> 'The Security Council's decisive action in Libya shows the progress we have made in learning from our past failures to prevent mass atrocity crimes and in living up to the aspirations we set for ourselves under Responsibility to Protect' (United States Mission to the United Nations, 2012).

The United States' position on the humanitarian crisis in Syria further illustrates that Washington's present stance on R2P remains one of strong support. Shortly after the use of chemical weapons was observed in Syria in late August 2013, US Ambassador Samantha Power declared at the General Assembly on R2P:

> 'All attacks on civilians are an outrage that should shock the conscience. We must also recognize that the use of chemical weapons crosses a line. These weapons are particularly grotesque, efficient, and indiscriminate. Their use cannot be reconciled with basic of humanity that apply, even in wartime' (United States Mission to the United Nations, 2013).

References to R2P were only used sparingly by the US government in the media campaign to advocate the use of coercive intervention to protect civilians against mass crimes following the use of chemical weapons in Syria. In what could be perceived as being an act of 'normative reframing', the United States was careful to refrain from using R2P vocabulary when urging the international community to react because it feared that this would trigger skepticism among the American public (Raymond, 2014: 198). In this particular case, President Obama has defined the use of chemical weapons against civilians as a 'red line' (O'Donnell, 2014: 572). As R2P-terminology had not been used to call for action to protect civilians, the United States willingness to intervene in Syria could not be translated into action. This was notably due to Washington's reliance on two-level politics in its foreign policy. In this manner, it is both the absence of international consensus within the Security Council and the lack of domestic support shown by the United States Senate that prevented the Obama administration to intervene in Syria on the grounds of R2P (Junk, 2014: 551).

The United States' position on R2P between 2005 and the present has not been as consistent as the stances displayed by France and the United Kingdom. During the first timeframe, the Bush administration received R2P with reluctance. This was notably the case concerning the question of establishing criteria on the use of force. Nevertheless, after having decided to support the concept in principle, the United States took a posture of active support for R2P under the Obama administration in the second timeframe of this research. The efforts made by the United States to create institutions supporting the prevention of crimes against humanity such as the Genocide Prevention Task Force and the Atrocity Prevention Agenda demonstrate Washington's willingness to make R2P a working principle. The United States' calls to intervene in Libya and Syria for R2P reasons confirm that the United States consider

R2P as a principle that should govern states' behavior in the international system. For instance, US ambassador to the UN spoke about R2P as a 'normative concept' in front of the General Assembly (United States Mission to the United Nations, 2014). In view of its position on R2P during the second and third timeframes, the United States can be considered as a strong supporter of R2P.

D) Russia

Russia's position on R2P before the 2005 World Summit was one of cautious support. The Kremlin recognized the humanitarian motives that underpinned R2P but issued interrogations concerning the concept's implementation. NATO's Operation Allied Force in Kosovo without the Security Council's authorization has influenced Moscow's initial position on R2P. At the time, Russia was going through a period of political stagnation. Therefore, Moscow perceived NATO bombings as a Western attempt to take advantage of those difficulties to extend their sphere of influence in the region at Russia's own expense. The Russian Federation saw NATO's operation in Kosovo as a case of American hegemonic appetite under cover of humanitarian pretexts. Under this perspective, the Kremlin feared that the United States could potentially threaten to interfere in Russia's internal affairs by calling for intervention in Chechnya for humanitarian motives without the Security Council's approval (Evans, 2008 a: 73). Moscow's worries increased during the years of 2003 and 2004 with the United States' invasion of Iraq and the pro-Western colored revolutions that took place in Georgia and Ukraine. A statement of former Russian Prime Minister Primakov best illustrates the Kremlin's interrogations on R2P one year prior to the 2005 World Summit:

> 'We face leaders whose policies result in hundreds of thousands, if not millions of starving, persecuted refugees, in armed clashes with neighboring states, and in attempts to obtain weapons of mass destruction. It is true that in many such cases, human rights and the interests of peace and security cease to be purely a state's internal affairs. Mass violations of human rights and security demand a reaction from the world community, including the possible use of force. But how and in what form? Based on international law or despite it? (Ziegler, 2015: 7).

Russia recognized the humanitarian concerns addressed by R2P. Yet, two main issues drove Moscow's position during the negotiations leading to the summit. The Kremlin opposed the possibility of military action being conducted without the Security Council's approval and did not want the inclusion of criteria governing the use of force in R2P

situations in the outcome document. Overall, Russia was reluctant about R2P becoming institutionalized as it considered that it could weaken the UN Charter with that text already having adequate clauses to address humanitarian crises. In the final stages of the negotiation, the appearance of a clause specifying that the use of force on R2P grounds has to be authorized by the Security Council resulted in Russia's approval of R2P being included in the final declaration provided that the conditions for the concept's implementation would be discussed further in the summit's aftermath (Bellamy, 2009a: 87). In the following year, policymakers in Moscow remained cautious on the question of providing additional support to R2P by reaffirming the principle in the Security Council. Russia considered the potential for R2P to be interpreted in a subjective manner to be too great for it to be put into practice immediately. Russia's ambassador to the Security Council Igor Rogachev stated:

> 'We believe that it is clearly premature to advance that concept in Security Council documents. We all remember well the complex compromise that was required to reflect that issue in the 2005 Summit Outcome document. […] We need to have a detailed discussion in the General Assembly of the issue of the responsibility to protect before we can discuss its implementation' (Bellamy, 2009a: 136).

Russia initially planned to vote against resolution 1674 along with China. However, a compromise resulted in China's decision of voting in favor of the text, which in turn pressured Russia to vote in favor of the resolution in order not to appear isolated on this issue (Bellamy, 2009a: 137).

     Russia's intervention in Georgia in 2008 constitutes an illustration of the extent of Moscow's recognition of the R2P principle in the years following the World Summit. In this case, Russian Minister of Foreign Affairs Sergei Lavrov invoked the necessity for Russia to intervene to protect its citizens so as to justify the Kremlin's use of force in Georgian territory, with President Medvedev referring several times to the term 'genocide' (Kurowska, 2014: 500). Although this intervention had been widely condemned by the international community, one of Russia's statements to the General Assembly debate on R2P referred to its 'legitimate right to self-defense' in this particular situation (The Permanent Mission of the Russian Federation to the United Nations, 2011). The fact that Moscow attempted to legitimize its action on the grounds of protecting its citizens is a sign of the Kremlin's implicit acknowledgement of coercive intervention for R2P reasons as being acceptable practice, yet

only when its own geopolitical interests are not compromised. From a theoretical standpoint, this example constitutes a case of norm localization with Moscow selectively seizing a foreign concept to frame this event according to its domestic interests, notably through political discourse (Acharya, 2004: 245). Russia's annexation of Crimea in 2014 can be explained from a similar theoretical perspective with Moscow justifying this decision with the necessity to protect Russian speaking minorities as well as reminding the international community of its long-standing cultural ties with the region (Kurowska, 2014: 502).

Russia's invocation of R2P to use force in Georgia can be considered as selective because of the fact that Russian policymakers did not modify their cautious discourse on the international stage. The stance of Russian ambassador to the UN Margelov to the first General Assembly debate on R2P in 2009 mirrors the Kremlin official position three years earlier:

> 'The concept of the responsibility to protect has enormous potential for change. Its development and implementation could significantly shape key trends that will determine the future of the entire system of international relations and the international rule of law. That is precisely why we are convinced that we should be measured and cautious in addressing any idea regarding implementation of the authoritative and relevant ideas of the 2005 World Summit Outcome document on the responsibility to protect' (The Permanent Mission of the Russian Federation to the United Nations, 2009).

The Russian Federation adheres to a restrictive interpretation of R2P that consists of a literal interpretation of Paragraphs 138 and 139 of the World Summit outcome document. Russia's perspective on R2P is strongly driven by the primacy it places on international law and the Charter-based system (O'Donnell, 2014: 577). Accordingly, Russia adopts a strict reading of international law because it considers it as the main barrier protecting less politically influential and militarily strong states from external interference (Rotmann et al., 2014: 371). Furthermore, Russia's perspective on R2P is rooted in the Kremlin's adherence to pluralist values and the perception that the international community should favor the coexistence of different political regimes in order to obtain a stable world order (O'Donnell, 2014: 577). Russia's stance on R2P is described as a 'nuanced position' (Kurowska, 2014: 490). Indeed, the first two R2P pillars on the responsibility of states to protect their population and preventive measures do not represent a cause for concern for Russia (Ziegler, 2014: 8).

Nevertheless, Russia remains extremely cautious concerning R2P's third pillar referring to the use of force by the international community after all peaceful means have been exhausted.

Russia's position on R2P encountered a crucial test in the case of the 2011 Libyan crisis. Moscow's stance, which was to recognize the necessity of preventing crimes against humanity while expressing caution towards conducting coercive intervention in R2P situations was to be stretched during the early stages of the crisis. Although it did not participate in the operation itself, the Kremlin initially tolerated NATO's intervention in Libya by abstaining during the vote of Security Council Resolution 1973. Russia did not oppose coercive intervention in the first place because the situation of humanitarian distress in Libya was exceptionally clear-cut as Qaddafi issued extermination threats towards civilians early on in the civil war, and the regional organizations such as the Arab League had given approval for an intervention to take place (Garwood-Gowers, 2013: 608). This decision was subject to a heated debate within the Kremlin, with Putin, then Prime Minister, openly criticizing President Medvedev's decision to contribute to the West's 'medieval call for a crusade' (Kurowska, 2014: 501). The manner in which NATO implemented R2P in Libya was subject to Moscow's condemnations already in the early stages of Operation Unified Protector. Denouncing the occurrence of civilian casualties in the framework of the intervention, Russia stated:

> 'any use of force by the coalition in Libya should be carried out in strict
> compliance with Resolution 1973. Any act going beyond the mandate established
> by that resolution in any way or any disproportionate use of force is unacceptable'
> (Bellamy & Williams, 2011: 845).

In the eyes of Putin, Qaddafi's death shortly before the end of NATO's intervention in Libya definitely sealed Medvedev's decision of abstaining on resolution 1973 as a mistake not to be repeated. The perception that NATO contravened its mandate to use force by fostering regime change in Libya hardened Russia's stance on R2P. For example, the 2013 Russian Foreign Policy Concept considers

> 'It is unacceptable that military intervention and other forms of interference from
> without which undermine the foundations of international law based on the
> principle of sovereign equality of states, be carried out on the pretext of
> implementing the concept of "R2P"' (Ziegler, 2015: 9).

During the third timeframe, the Kremlin's toughened position on R2P was to be further illustrated by Russia joining China in vetoing four successive draft Security Council resolutions on the situation in Syria since 2011. Shortly before his election as President in 2012, Putin went on to declare 'No one should be allowed to employ the Libyan scenario in Syria' (Ziegler, 2015: 14). The events of Libya did not lead Russia to reject R2P as a whole however. Instead, Moscow opted for a strategy of 'norm subsidiarity'. This strategy was characterized by Russian support for the norm of 'Responsibility while Protecting' coined by Brazil, which advocates the establishment of mechanisms verifying that the conduct of interventions on R2P grounds conform to their relevant Security Council mandate (The Permanent Mission of the Russian Federation to the United Nations, 2012).

In sum, Russia's position on R2P is nuanced in the light of its attachments to the principles of state sovereignty, territorial integrity, and non-interference. On one hand, Russia supports R2P's first two pillars, as they are compatible with the stipulations of the UN Charter concerning the prohibition on the use of force. On the other hand, Russia has largely sought to avoid the practice of coercive intervention under R2P's third pillar, as it remains concerned that the latter is affected by politicized abuses and the lack of criteria on the use of force. The Kremlin's fears in this regard culminated in the aftermath of Qaddafi's death during NATO's intervention in Libya, an event that toughened Russia's stance on the use of force on R2P grounds. Yet, the fact that Russia invoked R2P during the 2008 Georgian crisis, however selectively, illustrates that it recognizes R2P's legitimacy in the international order. These reasons lead to the conclusion that Russia is a 'cautious supporter' of R2P. Moscow's interaction with the norm suggests that R2P internalization within policy-making ranks in the Kremlin is reliant on the future development of the norm, notably through its continued discussion at the General Assembly.

E) China

Two main issues drive China's position on R2P during the negotiations of the 2005 World Summit. Firstly, China put forward the necessity that R2P operate along the lines of the UN Charter. The importance Beijing places on the UN Charter on the question of R2P is explained by the fact it sees it as a guarantee protecting the principles of non-interference in the internal affairs of sovereign states and the prohibition of the threat or use of force proclaimed in article 2 (4) of the UN Charter. Secondly, China wants to preserve the Security

Council's role as the only institutional body bearing the responsibility of authorizing the use of force. At the World Summit, President Hu Jintao stated:

'The purposes and principles of the UN Charter are crucial to safeguarding world peace and security. They have been widely recognized as the basic norms governing international relations and must be complied with in real earnest. As the special agency of the UN responsible for maintaining world peace and security, the Security Council must be given the authority to carry out its mandate' (Bellamy, 2009a: 87).

The fact that both of China's main concerns related to R2P were addressed within the summit's outcome document led the country to support the institutionalization of the concept. From a theoretical point of view, China's endorsement of R2P in 2005 can be considered to be as an illustration of norm containment. Beijing using a strategy of norm containment implies that it becomes willing to support a norm in order to better control its future development and suit it to its own preferences (Prantl & Nakano, 2011: 214; Garwood-Gowers, 2012: 381). In 2006, China's stance on resolution 1674 confirmed its willingness to engage with R2P so as to make it conform its interests. Initially reluctant to have R2P mentioned in a Security Council resolution, China negotiated with the United Kingdom, the proponent of the draft, to limit the declaration to a mere reaffirmation of what had been agreed upon at the World Summit (Bellamy, 2009a: 137). Realizing the potential changes that a refinement of R2P's contours by the Security Council could bring concerning the principles of non-interference and the prohibition on the use of force, Beijing wanted to ensure that no new elements would be brought to the R2P that had been agreed upon one year earlier.

When the first General Assembly debate on R2P took place in 2009, China's stance on R2P remained consistent with the position it held on the concept in the previous years. During the debate, Beijing emphasized that R2P had to be considered within the wider framework governed by the UN Charter. China's representative to the General Assembly declared:

'When a crisis involving one of the four crimes emerges, to ease and curtail the crisis will be the common aspiration and legitimate demand on the part of the international community. But the relevant actions must strictly abide by the provisions of the UN Charter, and respect the views of the government and regional organizations concerned. The crisis must be addressed in the framework of the UN, and all peaceful means must be exhausted. It is necessary to prevent

any state from unilaterally implementing R2P. […] The prerequisite for [the Security Council] taking action is the existence of "any threat to the peace, breach of the peace, or act of aggression". The Council must consider R2P in the broader context of maintaining international peace and security, and must guard against abusing the concept' (Permanent Mission of the People's Republic of China to the United Nations, 2009).

China is not questioning whether the international community should intervene in protecting civilians confronting these core crimes, but rather the way in which R2P should be implemented. More particularly, China has been an advocate of the first two pillars of R2P rather than being a proponent of coercive military interventions (Teitt, 2011: 308). Aside from recalling Beijing's cautious reading of the concept along the lines of the UN Charter, the statement reveals the importance China places on the agreement of the host state and of regional organizations in the use of force for R2P reasons. China advocates that states, as primary bearers of the responsibility to protect civilians on their territory, should be able to authorize or discard interventions within their borders because of the principle of non-interference in the internal affairs of a sovereign country. However, this position can also be explained by Beijing's concerns that its treatment of minorities in Tibet and Xinjiang might provide a case for international action within Chinese borders. China emphasizes the importance of regional organizations as gatekeepers against the misuse of the R2P concept such as unilateral interventions. This position has been particularly influenced by past experience, as China did not approve of NATO's intervention in Kosovo in 1999, which was devoid of Security Council authorization (Wheeler, 2000: 272). Finally, the fact that China's representative considers that 'R2P so far remains a concept' that 'does not constitute a rule of international law' illustrates Beijing's will to contain R2P as a principle located on the fringes of the wider Charter-based system (Permanent Mission of the People's Republic of China to the United Nations, 2009).

China's position on R2P did not change in the case of a humanitarian crisis in Libya in 2011. Although China abstained on resolution 1973, it nevertheless expressed deep reservations concerning the mandate given by the Security Council for NATO's intervention. Chinese representative Li Baodong clarified his country's position on the resolution in a statement to the Security Council:

> 'China has serious difficulty with parts of the resolution. Meanwhile, China attaches great importance to the relevant position by the 22-member Arab League on the establishment of a no-fly zone over Libya. We also attach great importance to the position of African countries and the African Union. In view of this, and considering the special circumstances surrounding the situation in Libya, China abstained from the voting on resolution 1973' (UN Security Council, 2011: S/PV. 6498).

This declaration illustrates that rather than departing from its initial position on R2P, China's abstention adheres to the stance it had held so far. In conformity with the importance Beijing placed on regional organizations as gatekeepers against R2P misuse, the Arab League's approval of resolution 1973 was essential in China's decision to refrain from using its veto in the case of Libya. In addition, the immediacy of the threat issued by Qaddafi on his civilian pressured China not to form an obstacle from intervening in a situation with potentially sordid consequences. These 'special circumstances' referred to by Li Baodong underlined the exceptional nature of the situation, which meant that China did not want to consider resolution 1973 as a template for future cases of R2P implementation (Garwood-Gowers, 2012: 387). Alongside Moscow, Beijing perceived Qaddafi's death in the streets of Sirte as a case of regime change, with NATO abusing the mandate it had been conferred by the Security Council to protect civilians in Libya. This event noticeably toughened China's stance on the use of force in R2P situations in the third timeframe of this research. In the aftermath of Operation Unified Protector, Chinese Foreign Minister Le Yusheng said:

> 'We should not forget the lessons we have learnt from Libya. On the first "protection" day led by NATO in Libya, there were 64 civilians killed and 150 injured. And the final result of the "protection" is that over 20,000 civilians killed and 900,000 displaced. […] It has been vividly described as "a successful operation with a dead patient" and it is patent that this kind of "protection" is a failed and irresponsible one applying "protect" as the cover of the brutal "intervention". The courage to say "No" to it absolutely demonstrates our determination to be responsible. We respect "Responsibility to Protect" and at the same time we value "Responsibility while Protecting" even more' Liu & Zhang, 2014: 418-419).

During the General Assembly debate on R2P in 2012, China refers to 'Responsibility while Protecting' in the attempt to promote the norm created by Brazil that addresses the lack of monitoring and accountability of R2P interventions as experienced in the case of NATO's intervention in Libya (Permanent Mission of the People's Republic of China to the United Nations, 2012). The latter demonstrates that China, along with other BRIC states, engages in a strategy of norm subsidiarity in order to contain and shape R2P's development along its own perspective. In this fashion, Beijing aims to spread a worldview emphasizing territorial integrity as well as non-interference in order to limit Western influence in developing countries (Van der Putten, 2013). China's hardened stance on R2P has resulted in the deadlock of the Security Council on the humanitarian crisis in Syria. Alongside the Kremlin, Beijing vetoed four resolutions on this situation between 2011 and 2014. China's objection to pass these resolutions is linked to its aversion of a repetition of the Libyan scenario in Syria. A quote of Chinese Ambassador Chen Shiqiu is unequivocal in this regard:

> 'If the Syrian tragedy was taken as a humanitarian disaster, how should we understand the fact that the opposing faction was provided with weapons? Therefore, it seems that it was not meant to terminate the conflict, but to topple the Bashar al-Assad administration and turn Syria into a second Libya' (Liu & Zhang, 2014: 419).

In conclusion, China qualifies as a state that is a 'cautious supporter' of R2P in the sense that its statements at the General Assembly debates on R2P express partial, as opposed to total, support for the norm. Indeed, China has demonstrated support for the first two pillars of R2P and has encouraged the continuation of the debate on the norm within the framework of the General Assembly. However, Beijing remains prudent in its interpretation of R2P and advocates that its implementation strictly abides to the limits imposed by the UN Charter. China's abstention in the situation of Libya demonstrated that it did not reject the use of force in R2P situations outright. The latter case increased China's wariness towards the abuse of R2P, hardening its stance on the use of coercive intervention in R2P situations such as Syria.

Chapter 5: Conclusion

<u>Results</u>

The Security Council is currently divided on the issue of R2P. The United Kingdom, France, and the United States provide strong support to R2P while Russia and China are cautious supporters. As illustrated by the absence of convergence between permanent member states of the Security Council on the topic of R2P implementation, R2P remains a contested norm. Since the Security Council is the only body that is able to legitimately authorize the use of force in international relations, the use of force under R2P's third pillar is unlikely to be regularly practiced unless a common understanding is reached by the P5 on this issue. Far from being considered as habitual or unquestioned practice to protect civilians from crimes against humanity, R2P remains confined to the stage of norm cascade and fails to reach the stage of internalization. Although all P5 states agree on the implications brought up by R2P's first two pillars on state responsibility to protect their population and preventive action to avert R2P crimes, the issue of coercive intervention remains subject to ample disagreement within the Security Council. Significantly, this means that R2P in its integral form is not yet taken for granted by the P5. As the Security Council bear the responsibility to authorize the use of force, the legal implementation of coercive intervention under R2P will remain subject to mutual agreement between P5-states until a common understanding on all the aspects involved in R2P have been reached. This currently prevents R2P from being considered as a habitual and unquestioned form of civilian protection from crimes against humanity. For these reasons, R2P cannot be considered to have reached the stage of internalization as of yet.

<u>Why did R2P not reach the stage of internalization?</u>

This result can be explained by the evolution of the Russian and Chinese positions on R2P during the timeline of this research. Both countries' concerns on R2P were initially related to conceptual matters. In the first timeframe, Moscow and Beijing expressed wariness towards the possibility for R2P to undermine UN Charter principles of non-interference in the affairs of a sovereign state and the prohibition of the use of force in international relations. The wording of paragraphs 138 and 139 addressed these conceptual issues, which allowed Russia and China to support R2P in principle by endorsing the 2005 World Summit outcome document. Both states' concerns that R2P could be abused and misused concerning the use of force by self-interested states using civilian protection as a motive for interfering in the

domestic affairs of sovereign states was still present during the first two timeframes of this research. At first glance, Russia and China displayed reluctance towards the use of force in the case of Libya. Yet, the Arab League support for intervention and the immediacy of Qaddafi's threat to civilians influenced both countries' decision to abstain on resolution 1973. To Moscow and Beijing's distaste, NATO's ensuing operation resulted in a disproportionate amount of civilian casualties and regime change in Tripoli. Russia and China considered that their initial wariness about R2P had been confirmed by the case of Libya, which lead to the hardening of Moscow and Beijing's positions on the use of force in R2P situations. Therefore, R2P not reaching the stage of internalization can be explained by Russian and Chinese unwillingness to use force in R2P situations based on the past experience of Libya. In the third timeframe Moscow and Beijing's contestation of the use of force on R2P grounds includes criticism concerning the norm's abuse, misuse and politicization, as well as its potential to infringe the principles of non-interference in the domestic affairs of sovereign states, and the prohibition of the use of force in international relations (Quinton-Brown, 2013: 265).

In conclusion, the current stage of normative development reached by R2P remains at the stage of norm cascade. Less than a decade following its inception by Francis Deng, the idea that state sovereignty conferred heads of state with the responsibility to protect their citizens from genocide, war crimes, crimes against humanity, and ethnic cleansing has taken the form of an institutionalized principle at the 2005 World Summit. Nevertheless, R2P's institutionalization does not represent an end in itself as the principle is entirely based on practice. Due to the protracted nature that surrounded its negotiation, the summit's outcome document does not provide specific guidelines concerning the use of military force in order to implement R2P. Consequently, this means that R2P's further progression towards internalization will be subject to an international consensus on coercive intervention and R2P. More specifically, this means that states will have to agree on which thresholds and modes of operations apply to the use of R2P's third pillar. As recently witnessed in the case of Syria, the importance of Security Council permanent member states remain crucial as any dissent concerning R2P and coercive intervention within this institution is likely to lead towards protracted reactions from the international community to R2P crimes.

Implications

In the absence of R2P rejectionists within the Security Council, the themes of contestation are all related to conceptual matters rather than institutional, ideological or technical disagreements (Quinton-Brown, 2013: 266). This leaves room for optimism as it implies that R2P's accession to the stage of internalization depends on whether P5-states reach a consensus on the manner in which R2P's third pillar is practiced. R2P is not facing norm degeneration. The process of narrowing down guidelines for R2P implementation advances on a yearly basis through the accumulation of debates on R2P hosted by the General Assembly and the Security Council as well as the publication of reports by United Nations Secretary General Ban Ki-Moon. Furthermore, less politically influent actors on the international stage have an important role to play in R2P's normative development. It is possible for R2P to diffuse itself through the mobilization of states around the cause of civilian protection in formal and informal speeches, addresses, debates and conferences. Additionally, NGOs and high-profile personalities committed to the spread of human rights values play a crucial role in raising awareness among heads of state and their domestic constituencies. Finally, the International Criminal Court's success in combating impunity in cases of R2P crimes is decisive in building a global consensus around the necessity for both states and the international community to uphold their responsibility to protect civilians from crimes against humanity.

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