

Russian Intervention in Crimea and the Question of Responsibility to Protect

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## ABSTRACT

The Russian Federation has claimed that its unilateral intervention in Crimea represents a case for Responsibility to Protect. This study investigates how the international community reacts to and determines a case of Responsibility to Protect. Three criteria to justify use of Responsibility to Protect are created from an analysis of international deliberations in previous interventions in Côte d'Ivoire (2010), Libya (2011), and Syria (2011). The Russian Federation involvement in Kosovo is analyzed in order to better understand its stance regarding intervention in Crimea. Classification as Responsibility to Protect requires (1) the case must have confirmed human rights violations; (2) the state must demonstrate that the human rights violations are more important than the state's sovereignty; and, (3) the state must use the multilateral system in the United Nations Security Council. The Russian Federation's intervention in Crimea constitutes a case for Responsibility to Protect to a minimal extent as their case did not have confirmed human rights violations and did not intervene multilaterally through the United Nations Security Council.

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## GENERAL AUDIENCE ABSTRACT

The Russian Federation has claimed that its unilateral intervention in Crimea represents a case for Responsibility to Protect. The study investigates how the international community reacts to and determines a case of Responsibility to protect. By analyzing the humanitarian intervention of Kosovo and the prior Responsibility to Protect cases of Côte d'Ivoire (2010), Libya (2011), and Syria (2011), three criteria are established to determine if use of Responsibility to Protect is appropriate. The case of Kosovo is analyzed since the Russian Federation used this to further justify its intervention in Crimea. Classification as Responsibility to Protect requires the following: (1) the case must have confirmed human rights violations; (2) the state must demonstrate that the human rights violations are more important than the state's right to rule over its own population; and, (3) the state must use the multilateral system in the United Nations Security Council. The Russian Federation's intervention in Crimea constitutes a case for Responsibility to Protect to a minimal extent only since its case did not have confirmed human rights violations and did not intervene multilaterally through the United Nations Security Council.

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## **Introduction**

The Russian Federation annexed Crimea from Ukraine in 2014. The Russian Federation claimed that this constituted a case of Responsibility to Protect (R2P) because of the human rights violations that occurred during Euromaidan, the further attacks on ethnic-Russians, and the self-determination demonstrated during a referendum.

My research question is “To what extent does the Russian unilateral intervention in Crimea constitute a case for the Responsibility to Protect”? This research question is of the utmost importance as Russian aggression toward Ukraine continues to increase. Caught between this aggressive power stands the small, sovereign nation. On a microscopic level, the impact of this research question is the difference between whether people identify as Russian or Ukrainian and what laws these individuals should follow. On a macroscopic level, the international community must be concerned about the potential annexation of an entire sovereign state and the norm of Responsibility to Protect must establish a guideline of when a case constitutes this principle. If Russia annexes Ukraine, the international community will have to rethink the balance of power in the region and international law. The international community must work to establish an exact doctrine and language for when and how the Responsibility to Protect is applied. Landscapes and maps will be changed depending on Russia’s foreign policy towards Ukraine. Therefore, this is a vital research question that requires our focus. Secondary questions include: “What makes a Responsibility to Protect case?”, “What gross human rights violations indicate that humanitarian intervention is needed?”, and “Is unilateral intervention legitimate?”.

The purpose of this thesis is to add to the literature that investigates what constitutes a case of R2P. The international community, including the United States, has heavily disagreed and condemned the annexation of Crimea. The issues of sovereignty and human rights covered

television screens around the world. People feared the Russian Federation was going to annex Ukraine, and then continue to create a new Russian Empire resembling the Soviet Union. Furthermore, it appeared that the international community could do nothing to stop this impending threat.

Many scholars view R2P cases in terms of the legality of the interventions. This thesis takes the argument for or against use of R2P a step further by including the humanitarian viewpoint. In addition, this work provides a comparison of the evolutionary trends of the Responsibility to Protect and those decisions regarding Crimea.

A grounded theoretical framework is established in order to answer the research question. The humanitarian intervention case of Kosovo is analyzed since the Russian Federation used Kosovo in their justification for Responsibility to Protect. Additionally, prior Responsibility to Protect cases of Côte d'Ivoire (2010), Libya (2011), and Syria (2011) are presented since recognition of the commonalities found between the cases determines the benchmarks that constitute Responsibility to Protect. These benchmarks include: confirmed human rights violations, sovereignty, and multilateralism. These benchmarks are then used to determine if Crimea constitutes a case of Responsibility to Protect.

I hypothesize that the Russian Federation's unilateral intervention in Crimea constitutes a case of Responsibility to Protect (R2P) only to a minimal extent because the Russian Federation did not create a case that the verified human rights violations demanded immediate action and did not use the multilateral system of the United Nations Security Council. However, the Russian Federation does use the same language the United States, the United Kingdom, and France utilized to justify that the verified human rights violations are more important than maintaining the state's sovereignty.

Chapter 1 discusses how the international community moved from a rhetoric of humanitarian intervention to Responsibility to Protect. This chapter analyzes the history of Responsibility to Protect, scope of Responsibility to Protect, Responsibility to Protect as a concept of humanitarian intervention, and the arguments for and against Responsibility to Protect. Chapter 2 provides background of a humanitarian intervention case and prior case of Responsibility to Protect. The humanitarian intervention case is Kosovo and the prior cases of Responsibility to Protect include Côte d'Ivoire (2010), Libya (2011), and Syria (2011). The second chapter identifies the benchmarks established from commonalities and differences between the Responsibility to Protect cases and the humanitarian intervention case. Chapter 3 outlines the background of the Crimean case, the Russian case for Responsibility to Protect and reviews the Russian case for Crimea constitutes a case of Responsibility to Protect. Using the benchmarks from Chapter 2, the conclusion analyzes the Russian intervention in Crimea and whether it constitutes a case for Responsibility to Protect while addressing the limitations and implications of the conclusion.

One of the main limitations to this research is a lack of meeting reports from the United Nations Security Council. Many meetings in which R2P was debated were closed to the public and, thus, meeting reports are not publicly available. Additionally, a case with remarkable similarity to Crimea has not occurred at the time of writing.

## **Chapter 1- From Humanitarian Intervention to Responsibility to Protect**

### Responsibility to Protect Defined

The international community witnessed the gross human rights violations in Rwanda and the Balkans, leaving many states to question how to end the atrocities. The United Nations General Assembly Secretary-General, Kofi Annan, urged the United Nations to find a solution in September 1999.<sup>1</sup> Furthermore, he posed the question to the states in the 2000 Millennium Report<sup>2</sup> by asking the international community how they would respond to future human rights violations.<sup>3</sup>

The International Commission on Intervention and State Sovereignty (ICISS), established the Responsibility to Protect theory in December 2001.<sup>4</sup> Responsibility to Protect establishes the premise that states are responsible for their own civilians' safety.<sup>5</sup> This notion was enhanced by the passing of A/59/565, which upholds that it is the international community's responsibility to help those that are having their human rights violated,<sup>6</sup> and the Secretary-General's 2005 report, A/59/2005, which discussed a potential plan for how the international community would respond

<sup>1</sup> "United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.; "Secretary-General Presents His Annual Report to General Assembly " United Nations September 20, 1999, accessed February 28, 2020, <https://www.un.org/press/en/1999/19990920.sgsm7136.html>.

<sup>2</sup> Annan, Kofi A. "We the Peoples' the Role of the United Nations in the 21st Century " news release, 2000, [https://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](https://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf).

<sup>3</sup> "United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.; Annan, Kofi A. "We the Peoples' the Role of the United Nations in the 21st Century " news release, 2000, [https://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](https://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf).

<sup>4</sup> *The Responsibility to Protect* (Canada: International Commission on Intervention and State Sovereignty, December 2001). <http://responsibilitytoprotect.org/ICISS%20Report.pdf>.

<sup>5</sup> *Ibid.*

<sup>6</sup> "United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.; "A More Secure World: Our Shared Responsibility, Report of the High-Level Panel on Threats, Challenges and Change " news release., December 2, 2004, 2004, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N04/602/31/PDF/N0460231.pdf?OpenElement>.

to potential threats against human rights.<sup>7</sup> In 2006, the United Nations Security Council passed A/RES/63/308 to provide civilians in armed conflicts with protection.<sup>8</sup> Chapter VII of that resolution provided the Security Council with the ability to authorize the use of force, as was witnessed in Libya (2011).<sup>9</sup> This document was put into place during “The 2005 United Nations World Summit (A/RES/60/1)”.<sup>10</sup>

“The 2005 World Summit Document (A/RES/60/1)” paragraphs 138 and 139 were accepted by the Member States and confirmed that the international community had “the responsibility to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity”.<sup>11</sup> The Responsibility to Protect doctrine, according to the United Nations Office on Genocide Prevention and the Responsibility to Protect, increases a state’s sovereignty because it reminds them that states they have a responsibility to their population and that this standard must be met.<sup>12</sup>

<sup>7</sup> "United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.; "United Nations." United Nations September 20, 1999, accessed February 28, 2020; "In Larger Freedom: Towards Development, Security and Human Rights for All " news release., 2005, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CPR%20A%2059%202005.pdf>.

<sup>8</sup> 63/308. *The Responsibility to Protect* (United Nations General Assembly, October 7 2009). <http://responsibilitytoprotect.org/Resolution%20RtoP%283%29.pdf>.

<sup>9</sup> "United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations. Accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

<sup>10</sup> “United Nations Office on Genocide Prevention and the Responsibility to Protect.” United Nations. United Nations. Accessed March 10, 2020. <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.; "Resolution Adopted by the General Assembly 60/1.2005 World Summit Outcome." news release., October 24, 2005, 2005, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/PBC%20ARES601.pdf>.

<sup>11</sup> “United Nations Office on Genocide Prevention and the Responsibility to Protect.” United Nations. United Nations. Accessed March 10, 2020. <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.; "Resolution Adopted by the General Assembly 60/1.2005 World Summit Outcome." news release., October 24, 2005, 2005, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/PBC%20ARES601.pdf>.

<sup>12</sup> “United Nations Office on Genocide Prevention and the Responsibility to Protect.” United Nations. United Nations. Accessed March 10, 2020. <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

Three pillars of the Responsibility to Protect were established in the United Nations Secretary-General 2009 report.<sup>13</sup> The first pillar places the primary responsibility on the states to protect their own populations. The second pillar discusses how the international community should foster methods and infrastructure for the states to protect their own populations, and the third pillar calls upon the international community to react quickly to atrocities.<sup>14</sup> This report also argues the purpose of the Responsibility to Protect.<sup>15</sup> In 2012, the United Nations Secretary-General report claimed that all of these pillars are important and one does not supersede the other.<sup>16</sup>

### History of Responsibility to Protect

The concept of humanitarian intervention by states had been widely discussed before the mention of Responsibility to Protect. However, this thesis will only focus on when and how the concept of the Responsibility to Protect has been constructed and not on humanitarian intervention itself. The concept of Responsibility to Protect was a response to the genocides in both Rwanda and the Balkans. Kofi Annan, the United Nations Secretary-General, shared this with the United Nations in 2000, when he asked the Member States how they should respond and stop gross human rights violations.<sup>17</sup>

When discussing what this concept would look like for the international community, the African Union suggested that the international community should be allowed to intervene when

<sup>13</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

<sup>14</sup> *Ibid*.

<sup>15</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

<sup>16</sup> *Responsibility to Protect: Timely and Decisive Response*. General Assembly Security Council (United Nations, July 25 2012). [http://www.responsibilitytoprotect.org/UNSG%20Report\\_timely%20and%20decisive%20response\(1\).pdf](http://www.responsibilitytoprotect.org/UNSG%20Report_timely%20and%20decisive%20response(1).pdf).

<sup>17</sup> Annan, Kofi. *We the Peoples' the Role of the United Nations in the 21st Century*. (New York: United Nations, 2000). [https://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](https://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf).

the state has failed to uphold its responsibility to protect its population. This was illustrated in their Constitutive Act in Article 4(h)<sup>18</sup>, passed in 2005 as the African Union's Ezulwini Consensus.<sup>19</sup>

The published 2001 ICISS report argued that sovereignty included both the responsibility of the state to safeguard its population from atrocities and the right to protect its citizens' rights.<sup>20</sup> Specifically, the report states that it was the responsibility of the international community if the state was "unable or unwilling" to protect its citizens from the gross human rights violations.<sup>21</sup> With regards to humanitarian intervention with the use of force, the ICISS report listed four potential ways that this approach could be utilized by the international community including: there must be evidence of human rights violations occurring; the action must be focused on ending the violence, it must be the last resort to end the violence, and the use of force must not exceed the goal to end the violence; the use of force must have a high chance of stopping the human rights violations; and, the use of force must be authorized by the United Nations Security Council.<sup>22</sup>

In the 2005 World Summit, the Responsibility to Protect was adopted by the United Nations unanimously. While the states discussed how the Responsibility to Protect would apply to the four violations, there was no discussion regarding an objective definition of these four violations and when violations surpassed the threshold for requiring intervention. The United

<sup>18</sup> *Constitutive Act of the African Union*. African Union (Togo: African Union, July 11 2000).

[https://web.archive.org/web/20120106025116/http://www.au2002.gov.za/docs/key\\_oau/au\\_act.htm](https://web.archive.org/web/20120106025116/http://www.au2002.gov.za/docs/key_oau/au_act.htm).

<sup>19</sup> *The Common African Position on the Proposed Reform of the United Nations: "the Ezulwini Consensus"*. African Union (African Union, March 7-8 2005). [https://www.un.org/en/africa/osaa/pdf/au/cap\\_screform\\_2005.pdf](https://www.un.org/en/africa/osaa/pdf/au/cap_screform_2005.pdf).

<sup>20</sup> *The Responsibility to Protect* (Canada: International Commission on Intervention and State Sovereignty, December 2001). <http://responsibilitytoprotect.org/ICISS%20Report.pdf>. p. 12-13.

<sup>21</sup> *Ibid.* p. 16.

<sup>22</sup> *The Responsibility to Protect* (Canada: International Commission on Intervention and State Sovereignty, December 2001). <http://responsibilitytoprotect.org/ICISS%20Report.pdf>. p. XII-XIII.

Nations Security Council was the only authority that could provide permission for the use of force.<sup>23</sup>

After agreeing to the Responsibility to Protect, the Member States agreed that there was a specific order in which to handle the atrocities. First, the United Nations would make attempts at mediating the situation and other diplomatic means to end the violence. The international community would become involved if the first measures failed. Finally, the United Nations Charter and the United Nations Security Council would decide what actions needed to occur based on the specific case.<sup>24</sup>

The abovementioned three pillars of the Responsibility to Protect were published by Ban Ki-moon, the United Nations Secretary-General, in the 2009 report called *Implementing the Responsibility to Protect*.<sup>25</sup> The United Nations General Assembly first debated the concept of the Responsibility to Protect in September 2009.<sup>26</sup> After the debate, the United Nations General Assembly passed A/RES/63/308<sup>27</sup> which established that the Responsibility to Protect would continue to be discussed. These discussions were documented in the 2010 report *Early Warning, Assessment and the Responsibility to Protect*.<sup>28</sup> This illustrated a debate between the states urged the international community to determine a method to prevent the gross human rights violations.<sup>29</sup> In the 2011 report entitled *The Role of Regional and Subregional Arrangements in Implementing the Responsibility to Protect*, the debate stressed that the cooperation between the

<sup>23</sup> *The Responsibility to Protect* (Canada: International Commission on Intervention and State Sovereignty, December 2001). <http://responsibilitytoprotect.org/ICISS%20Report.pdf>. p. XII.

<sup>24</sup> *Ibid.* p. 2.

<sup>25</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

<sup>26</sup> *Report on the General Assembly Plenary Debate on the Responsibility to Protect* (International Coalition For The Responsibility to Protect, September 15 2009). <http://responsibilitytoprotect.org/ICRtoPGAdebate.pdf>.

<sup>27</sup> *63/308. The Responsibility to Protect* (United Nations General Assembly, October 7 2009). <http://responsibilitytoprotect.org/Resolution%20RtoP%283%29.pdf>.

<sup>28</sup> *Early Warning, Assessment and Responsibility to Protect* General Assembly (United Nations, July 14 2010). [http://www.responsibilitytoprotect.org/N1045020\(1\).pdf](http://www.responsibilitytoprotect.org/N1045020(1).pdf).

<sup>29</sup> *Ibid.*

United Nations and regional organizations needed to be strengthened and determined.<sup>30</sup> In a 2012 report by the United Nations Secretary-General entitled *Responsibility to Protect: Timely and Decisive Response*, the United Nations discussed how the third pillar interventions should look for the international community.<sup>31</sup> In 2013, the report entitled *Responsibility to Protect: State responsibility and prevention*, the United Nations debated the effectiveness of the Responsibility to Protect.<sup>32</sup>

In 2006, the United Nations Security Council committed to the concept of the Responsibility to Protect in Resolution 1674.<sup>33</sup> In Resolution 1894, the United Nations Security Council supported that it is the state's first goal to protect its own population.<sup>34</sup> The Responsibility to Protect has been used in Darfur (2006), Kenya (2007), Côte d'Ivoire (2010), Libya (2011), Syria (2011), Yemen (2011), Mali (2012), and the Central African Republic (CAR) (2013), and Burundi (2015). The Responsibility to Protect principle has also been discussed in reference to crises in Burundi (2015) and Yemen (2011).<sup>35</sup> The term "Responsibility to Protect" has been explicitly stated in the United Nations Security Council Resolution 2165<sup>36</sup> (Syria); Resolution 1706<sup>37</sup> (Darfur); Resolution 2014<sup>38</sup> (Yemen); Resolutions 1970<sup>39</sup>, 1973<sup>40</sup>,

<sup>30</sup> *The Role of Regional and Sub-Regional Arrangements in Implementing the Responsibility to Protect*.

(International Coalition For The Responsibility to Protect, July 12 2011).

[http://www.responsibilitytoprotect.org/FINAL%20report%20summary%202011\(2\).pdf](http://www.responsibilitytoprotect.org/FINAL%20report%20summary%202011(2).pdf).

<sup>31</sup> *Responsibility to Protect: Timely and Decisive Response*. General Assembly Security Council (United Nations, July 25 2012).

[http://www.responsibilitytoprotect.org/UNSG%20Report\\_timely%20and%20decisive%20response\(1\).pdf](http://www.responsibilitytoprotect.org/UNSG%20Report_timely%20and%20decisive%20response(1).pdf).

<sup>32</sup> *Responsibility to Protect: State Responsibility and Prevention a/67/929-S/2013/399*. General Assembly and Security Council (United Nations, July 9 2013).

[http://responsibilitytoprotect.org/SG%20report%202013\(1\).pdf](http://responsibilitytoprotect.org/SG%20report%202013(1).pdf).

<sup>33</sup> *Resolution 1674 (2006)*. Security Council (United Nations, April 28 2006).

[https://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1674\(2006\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1674(2006)).

<sup>34</sup> *Resolution 1894 (2009)*. Security Council (United Nations, November 11 2009).

[https://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1894\(2009\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1894(2009)).

<sup>35</sup> "International Coalition for the Responsibility to Protect " Institute for Global Policy accessed April 23, 2020, <http://www.responsibilitytoprotect.org>.

<sup>36</sup> *Resolution 2165*. Security Council (United Nations, July 14 2014). <http://unscr.com/en/resolutions/doc/2165>.

<sup>37</sup> *Resolution 1706*. Security Council (United Nations, August 31 2006). <http://unscr.com/files/2006/01706.pdf>.

<sup>38</sup> *Resolution 2014*. Security Council (United Nations, October 21 2011). <http://unscr.com/en/resolutions/doc/2014>.

2016<sup>41</sup>, and 2040<sup>42</sup> (Libya); Resolutions 2085<sup>43</sup> and 2100<sup>44</sup> (Mali); Resolution 1975<sup>45</sup> (Côte d'Ivoire); and Resolutions 1996<sup>46</sup> (Sudan/South Sudan).<sup>47</sup>

### Scope of Responsibility to Protect

The scope of the Responsibility to Protect has become narrower since the beginning of its conception. The 2001 ICISS report discussed the Responsibility to Protect in a wide scope, applying it to both humanitarian intervention, environmental disasters, and in all potential instances when a state cannot care for its population.

In the 2005 World Summit, paragraphs 138 and 139, the scope of Responsibility to Protect was redefined by focusing on four violations only including: crimes against humanity, genocide, ethnic cleansing, and war crimes.<sup>48</sup>

When discussing if the Responsibility to Protect could be applied to instances of disease and environmental disasters, a 2009 issue of the Secretary-General's Responsibility to Protect report, *Implementing the Responsibility to Protect*, claimed that adding these would make the

<sup>39</sup> *Resolution 1970 (2011)*. Security Council (United Nations, February 26 2011). [https://www.undocs.org/S/RES/1970%20\(2011\)](https://www.undocs.org/S/RES/1970%20(2011)).

<sup>40</sup> *Resolution 1973*. Security Council (United Nations, March 17 2011). [https://www.undocs.org/S/RES/1973%20\(2011\)](https://www.undocs.org/S/RES/1973%20(2011)).

<sup>41</sup> *Resolution 2016 (2011)*. Security Council (United Nations, October 27 2011). <http://unscr.com/en/resolutions/doc/2016>.

<sup>42</sup> *Resolution 2040 (2012)*. Security Council (United Nations, March 12 2012). <http://unscr.com/en/resolutions/doc/2040>.

<sup>43</sup> *Resolution 2085 (2012)*. Security Council (United Nations, December 20 2011). <http://unscr.com/en/resolutions/doc/2085>.

<sup>44</sup> *Resolution 2100*. Security Council (United Nations, April 25 2013). <https://digitallibrary.un.org/record/748429?ln=en>.

<sup>45</sup> *Resolution 1975*. Security Council (United Nations, March 30 2011). <http://unscr.com/en/resolutions/doc/1975>.

<sup>46</sup> *Resolution 1996 (2011)*. Security Council (United Nations, July 8 2011). <http://unscr.com/en/resolutions/doc/1996>.

<sup>47</sup> "International Coalition for the Responsibility to Protect " Institute for Global Policy accessed April 23, 2020, <http://www.responsibilitytoprotect.org>.

<sup>48</sup> United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations, accessed April 20, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

Responsibility to Protect too broad and would disfigure the principle.<sup>49</sup> Specifically, the report states that the scope must be narrow and the international community must respond deeply via all of the Member States, regional organizations, the United Nations, and sub-regional organizations.<sup>50</sup>

### Responsibility to Protect as a Humanitarian Intervention Concept

The concept of Responsibility to Protect differs from that of humanitarian intervention. Ramesh Thakur has outlined how politically, conceptually, normatively, procedurally, and operationally the concepts differ.<sup>51</sup> “Politically”, the term “humanitarian intervention” reminds the colonized countries of the horrendous behavior exhibited by imperialist nations.<sup>52</sup> “Conceptually”, the Responsibility to Protect only discusses the differences between the authority of the state and the authority of the international community instead of making distinctions between specific states as in humanitarian intervention.<sup>53</sup> For example, humanitarian intervention holds that states have the “right to intervene” in situations of gross human rights violations while the Responsibility to Protect focuses on the responsibility of states to intervene. “Normatively”, the Responsibility to Protect reframes sovereignty in the form of the responsibility of the states with a focus on the victims while humanitarian intervention focuses on the states aiding the other states with a focus on the state.<sup>54</sup> For example, the international law that the Responsibility to Protect is based upon protecting populations from atrocities, whereas

<sup>49</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

<sup>50</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677). p. 8.

<sup>51</sup> Thakur, Ramesh. "The Responsibility to Protect at 15." *International Affairs* 92, no. 2 (2016). <https://doi.org/10.4324/9781351016797-2>. p. 418.

<sup>52</sup> *Ibid.* p. 418.

<sup>53</sup> *Ibid.* p. 418.

<sup>54</sup> *Ibid.* p. 418.

humanitarian intervention centers itself on how the states intervene. “Procedurally”, the concept of humanitarian intervention is murky between unilateral intervention and intervention authorized by the United Nations Security Council while the Responsibility to Protect is based on international law.<sup>55</sup> “Operationally”, the Responsibility to Protect must protect populations using established criteria.<sup>56</sup> For example, the United Nations Security Council must authorize the use of force, whereas humanitarian intervention does not require approval by another entity.

### Arguments For and Against Responsibility to Protect

Scholars have also expressed advocacy and criticism for the Responsibility to Protect as well. Louise Arbor and Francis Deng have deemed that the Responsibility to Protect is a movement forward for sovereignty and humanitarian intervention by the international community.<sup>57</sup> Alexander Bellamy argued that Responsibility to Protect has encouraged the international community to follow stricter behaviors with regards to cases of humanitarian intervention.<sup>58</sup>

While advocacy for Responsibility to Protect focuses on it as a measure towards legality and legitimacy in humanitarian intervention, critiques of Responsibility to Protect focus on the breaking of sovereignty, particularly in Syria (2011), and the use of military force during intervention, particularly in Libya (2011). One of the main arguments against Responsibility to Protect holds that it violates a state’s sovereignty.<sup>59</sup> The first pillar of the Responsibility to

<sup>55</sup> Thakur, Ramesh. "The Responsibility to Protect at 15." *International Affairs* 92, no. 2 (2016). <https://doi.org/10.4324/9781351016797-2>. p. 418.

<sup>56</sup> *Ibid.* p. 418.

<sup>57</sup> Evans, Gareth. *The Responsibility to Protect-Ending Mass Atrocity Once and for All* Edited by Brookings Institution Press. Washington, DC, September, 2008. <http://gefans.org/r2pbook.html>.

<sup>58</sup> Bellamy, Alex. "The Responsibility to Protect Turns Ten." *Ethics & International Affairs* 29, no. 2 (June 1 2015): 161-85. <https://doi.org/10.1017/S0892679415000052>. <https://doi.org/10.1017/S0892679415000052>.

<sup>59</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

Protect reaffirms that it's a state's responsibility to protect its own population and the second pillar concludes that the international community should aid the states in protecting their populations.<sup>60</sup> Therefore, the international community should only intervene if the state fails its responsibility, and does respect sovereignty in this sense.<sup>61</sup> However, Responsibility to Protect can be seen as a violation of sovereignty if the state does not agree to the intervention.<sup>62</sup>

The third pillar of Responsibility to Protect enforces that the international community must respond in a timely manner to the atrocity.<sup>63</sup> Military intervention, even with the authorization by the United Nations Security Council, can be seen as a violation of sovereignty. However, in cases such as Libya (2011), the international community deemed that the use of force could stop the violations. This argument leads to others regarding what criteria the United Nations Security Council could establish in the future to determine when the use of force is necessary.<sup>64</sup>

The changing norms and ways that the Responsibility to Protect is conducted on a case-by-case basis creates issues for both advocates and critics of the doctrine.<sup>65</sup> Unless states agree to intervene in all of the potential situations violating the four violations, it will remain unclear when the international community should intervene.<sup>66</sup> States will not want to use resources for only a humanitarian goal, and the success of Responsibility to Protect cannot be clearly

<sup>60</sup> *Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

<sup>61</sup> *Ibid.*

<sup>62</sup> *Ibid.*

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*

<sup>65</sup> Paris, Roland. "Is It Possible to Meet the 'Responsibility to Protect'?". (December 9 2014).

<sup>66</sup> *Ibid.*

demonstrated.<sup>67</sup> Additionally, it is difficult to determine when intervention has surpassed its goal in proportion to ending atrocities.<sup>68</sup>

<sup>67</sup> Paris, Roland. "Is It Possible to Meet the 'Responsibility to Protect'?". (December 9 2014).

<sup>68</sup> *Ibid.*

## **Chapter 2- From Humanitarian Intervention to Responsibility to Protect: Case Studies**

### Introduction

My argument is that cases of humanitarian intervention must possess certain criteria in order to become cases of the Responsibility to Protect (R2P). R2P has evolved over time, based first upon how states have acted in previous cases of R2P. Secondly, the ability to recruit other states to follow along with R2P is important to legitimize the action. As discussed in the second chapter, R2P is entrenched with a focus on the victim and the preference of multilateralism. One main argument for the use of R2P is that human rights violations constitute an emergency requiring the United Nations Security Council intervention immediately into the state in question. It must be clear that a state's sovereignty is found to be not more important than the alleged human rights violations, making the case is not solely an internal matter of the state in question. Ultimately, the state has to be able to convince the United Nations Security Council that the human rights violations constitute the need for multilateral intervention into the state in question.

In order to determine if Russia's unilateral action constituted a case for the Responsibility to Protect and to create a ground theoretical framework, one must analyze prior cases of R2P. Côte d'Ivoire (2010), Libya (2011), and Syria (2011) arguments for R2P were analyzed to determine how specific benchmarks outlined above were met. Limited information was available on the Security Council meetings for Yemen, Darfur (2006), Kenya (2007) and Central African Republic (CAR)(2013). Cases were chosen that contained explicit use of force or intervention mandates by the United Nations Security Council, and had the majority of its resolutions and occurrences before the case of Crimea, ruling out Mali, Yemen, Burundi, Sudan/South Sudan.

Mali was also excluded because it reiterates a similar case to Côte d'Ivoire. Côte d'Ivoire represented a better case to create a theoretical framework because it involved prior unilateral intervention by France.<sup>69</sup> The Burundi crisis began in 2015<sup>70</sup> and the majority of the Yemen case has continued after 2015.<sup>71</sup> The specific resolutions were selected because they detail the opinions, actions, and justifications of the members of the United Nations Security Council. A focus was placed on resolutions that discussed what the initial response of the United Nations Security Council should be and whether or not military intervention should be authorized.

The cases chosen to study represent different ways the United Nations implemented R2P and review the time frame to respond to the request to consider such action. Côte d'Ivoire (2010) represents a case in which the United Nations intervened with R2P after previous unilateral humanitarian intervention by one of the members of the United Nations Security Council, France.<sup>72</sup> Libya (2011) represents the first time that the United Nations Security Council authorized the use of force. Syria (2011) represents a situation in which the United Nations Security Council initially did not agree with intervention and illustrates the Members States arguments for and against intervention.

The humanitarian interventions of Kosovo were included in the analysis. While these humanitarian cases are not explicitly cases of the R2P, the Responsibility to Protect was created as a way for the international community to identify and stop such cases. As the R2P is a reflection of the cases before it, Kosovo interventions constitute a large portion of the Russian Federation's argument to intervene in Crimea. Bosnia was not analyzed as the United Nations

<sup>69</sup> "Crisis in Mali." International Coalition for the Responsibility to Protect, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-mali>.

<sup>70</sup> "UN Documents for Burundi." Security Council Report, accessed April 22, 2020, <https://www.securitycouncilreport.org/un-documents/burundi/>.

<sup>71</sup> *Ibid.*

<sup>72</sup> "The Crisis in Côte d'Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

Security Council report website does not allow access to meetings that included debates on the situation. Other cases, such as Rwanda, are not analyzed because, while they constitute cases of humanitarian intervention, the Russian Federation does not mention these in the Crimea case and inclusion of such arguments may detract from the Russian case and its argument for intervention. Use of the Kosovo case allows one to highlight the differences between cases of humanitarian intervention and cases of R2P.

In order to determine my benchmarks to compare the prior uses of R2P and the Russian Federation's unilateral case for Crimea, I provide a background for each case, the violations assigned to each case by the United Nations Security Council, the debates within the United Nations Security Council whether the case constitutes a case of R2P, and how the United Nations Security Council justified its actions.

### Humanitarian Intervention Case

#### Background: Kosovo

Kosovo was a region in former Yugoslavia until Slobodan Milošević, the Serbian President, withdrew its autonomy and placed the Serbian government in charge of the region.<sup>73</sup> Both the military and police forces of Serbia and the Kosovar Albanian forces fought throughout 1998.<sup>74</sup> The Serbian President continued to deny options for a diplomatic end to the violence.<sup>75</sup> NATO intervened in the middle of 1998 in order to find a peaceful settlement and protect other regions near the conflict.<sup>76</sup> When the violence continued through October of that year, an

<sup>73</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>74</sup> *Ibid.*

<sup>75</sup> *Ibid.*

<sup>76</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

Activation Order to begin airstrikes was signed by the NATO Council.<sup>77</sup> After the NATO Secretary-General, the Chairman of NATO's Military Committee, United States Envoys, the Supreme Allied Commander Europe, and Serbian President Milošević discussed the airstrikes, Milošević decided to call an end to the violence.<sup>78</sup>

The United Nations Security Council met on March 31, 1998 to discuss the situation in Kosovo.<sup>79</sup> This meeting was incited by letters from both the United Kingdom and the United States.<sup>80</sup> This meeting led to the adoption of Resolution 1160, which condemned the atrocities in Kosovo and placed arms embargos and sanctions on Yugoslavia.<sup>81</sup> The draft resolution was created by the United Kingdom, the United States, Sweden, Portugal, France, Germany, Italy, and Japan. All members voted in favor of the resolution including the United States, the United Kingdom, the Russian Federation, Brazil, Costa Rica, Japan, Gambia, France, Gabon, Portugal, Kenya, and Bahrain. China abstained.<sup>82</sup> A debate continued after the adoption. The main two opposing arguments stressed either the international community needed to become involved to stop potential atrocities or that the international community should not become involved as Kosovo was the internal problem of Yugoslavia.

The supporters of the Resolution 1160 argued that the embargos and sanctions were a necessary step to end the violence, citing the "excessive use of force by the Serbian police

<sup>77</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>78</sup> *Ibid.*

<sup>79</sup> *3868th Meeting* Security Council (New York: United Nations, March 31 1998). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>.

<sup>80</sup> *Ibid.* p. 1.

<sup>81</sup> *3868th Meeting* Security Council (New York: United Nations, March 31 1998). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>. p.1.

<sup>82</sup> *Ibid.* p. 12.

against civilians” on multiple occasions.<sup>83</sup> The European Union, via a statement by the United Kingdom, stated that it deemed that the issue in Kosovo was a threat to security both regionally and internationally and urged the international community to become involved because of the excessive use of force, terrorism, and violence.<sup>84</sup> The European Union advocated for Kosovo to gain more autonomy in Yugoslavia and to create a method for Kosovo to govern itself within Yugoslavia.<sup>85</sup> The United Kingdom supported this intervention in Kosovo to reaffirm its stance against terrorism; however, it maintained that it did not support the separatism or independence of Kosovo from Yugoslavia.<sup>86</sup> The United States argued that the international community needed to intervene sooner rather than later to not repeat prior failures.<sup>87</sup> Germany supported the Resolution to provide consequences for Yugoslavia to end the violence and cited the number of Albanians that sought safety within Germany.<sup>88</sup> France articulated that it was affirming its condemnation of terrorism and also “respecting the territorial integrity of the Federal Republic of Yugoslavia”.<sup>89</sup>

The Russian Federation and China wanted to ensure that the “territorial integrity” of Yugoslavia was protected.<sup>90</sup> The Russian Federation deemed that the current situation in Kosovo was not a threat to regional stability and remained unsure of whether implementing arms

<sup>83</sup> *3868th Meeting Security Council* (New York: United Nations, March 31 1998). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>. p. 14.

<sup>84</sup> *Ibid.* p. 14-15.

<sup>85</sup> *Ibid.* p. 14-15.

<sup>86</sup> *Ibid.* p. 14-15.

<sup>87</sup> *Ibid.* p. 13.

<sup>88</sup> *Ibid.* p. 19-20.

<sup>89</sup> *Ibid.* p. 4.

<sup>90</sup> *Ibid.* p. 10-11.

embargos and sanctions would increase the violence.<sup>91</sup> China claimed that Kosovo was an internal issue for Yugoslavia to handle.<sup>92</sup>

The United Nations Security Council passed Resolution 1199 to condemn the force of both the army of Yugoslavia and the security forces of Serbia.<sup>93</sup> This Resolution also demanded a “cease-fire.” A Kosovo Verification Mission (KVM) was established by the Organization for Security and Cooperation in Europe (OSCE) to enforce the Resolution.<sup>94</sup> NATO maintained surveillance of the area as well. These two efforts were supported by the United Nations Security Council Resolution 1203.<sup>95</sup>

After these measures were implemented, the violence continued into 1999.<sup>96</sup> OSCE confirmed that excessive force was used by the Serbian police and military Special Forces and that both sides were at fault for the reoccurring violence. The OSCE eased some of the tensions through mediation efforts.<sup>97</sup>

The United Nations Security Council met on March 24, 1999 to debate the NATO air strikes and the unilateral humanitarian intervention in the region. This discussion was requested by the Russian Federation.<sup>98</sup>

During this debate, the Russian Federation argued the unilateral NATO air strikes were against the United Nations Charter.<sup>99</sup> While the NATO states attempted to justify this unilateral

<sup>91</sup> *3868th Meeting* Security Council (New York: United Nations, March 31 1998). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>. p. 10.

<sup>92</sup> *Ibid.* p. 11.

<sup>93</sup> *Ibid.*

<sup>94</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>95</sup> *Ibid.*

<sup>96</sup> *Ibid.*

<sup>97</sup> *Ibid.*

<sup>98</sup> *3988th Meeting*. Security Council (United Nations, 1999). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>.

use of force by claiming that military force was necessary to end “humanitarian catastrophe”, the Russian Federation still rejected the legality of NATO’s actions.<sup>100</sup> The Russian Federation accused that state representatives did not bring the decision of NATO unilateral force to the United Nations Security Council because they hypothesized that one or more of the Permanent Members would veto the action.<sup>101</sup> China continued this sentiment by arguing that Kosovo was an internal problem and that other states needed to respect the sovereignty of the Federal Republic of Yugoslavia.<sup>102</sup> India condemned the unilateral force arguing that no entity should be allowed to intervene unilaterally without the appropriate permission by the United Nations Security Council.<sup>103</sup> Namibia agreed that military action was not the proper way to end the violence because it could lead to more serious concerns in the area. <sup>104</sup>

On the opposing side, the United States defended NATO’s actions by mentioning that the United Nations Security Council passed Resolution 1199 (1998) to demand that the situation end to avoid a “humanitarian catastrophe.”<sup>105</sup> The United Kingdom articulated that NATO’s actions were legal because they would prevent “humanitarian catastrophe.”<sup>106</sup> France claimed that the international community had made every attempt to end the violence before this action by NATO.<sup>107</sup>

<sup>99</sup> *3988th Meeting*. Security Council (United Nations, 1999).

<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 2-3.

<sup>100</sup> *Ibid.* p. 2-3.

<sup>101</sup> *Ibid.* p. 13.

<sup>102</sup> *Ibid.* p. 12-13.

<sup>103</sup> *Ibid.* p. 15-16.

<sup>104</sup> *Ibid.* p. 10-11.

<sup>105</sup> *Ibid.* p. 4-5.

<sup>106</sup> *Ibid.* p. 11-12.

<sup>107</sup> *Ibid.* p. 8.

In the middle of the argument, Brazil urged that it regretted the use of force and wished that the international community would come to a peaceful consensus.<sup>108</sup>

The London Conference on the Former Yugoslavia in 1992 established a Contact Group comprised of the United States, Russia, Italy, Germany, and France.<sup>109</sup> This Contact Group would attempt to negotiate with both sides to find a solution.<sup>110</sup> NATO supported these actions by stating that it would use air strikes if the conflict continued to escalate.<sup>111</sup> This began negotiations between the groups.<sup>112</sup> The Kosovar Albanians signed an agreement that they would remain peaceful, but the Serbians did not.<sup>113</sup> After, the Serbian forces continued to attack individuals in Kosovo with an ethnic-Albanian background.<sup>114</sup> After being blocked by Serbian forces, the OSCE KVM left the region.<sup>115</sup> The United States Ambassador urged Milošević to end the violence or NATO would move forward with air strikes.<sup>116</sup> After Milošević would not end the attacks, NATO began air strikes in Operation Allied Force. <sup>117</sup>

The European Union, a former Prime Minister of Russia, Victor Chernomyrdin, special envoys from Russia, and the President of Finland made an agreement with the Federal Republic of Yugoslavia on June 3, 1999 which insisted that the Yugoslav forces would retreat from the region on that day.<sup>118</sup> Additionally, the forces of Yugoslav would begin retreating from the

<sup>108</sup> *3988th Meeting*. Security Council (United Nations, 1999).

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 8.

<sup>109</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>110</sup> *Ibid.*

<sup>111</sup> *Ibid.*

<sup>112</sup> *Ibid.*

<sup>113</sup> *Ibid.*

<sup>114</sup> *Ibid.*

<sup>115</sup> *Ibid.*

<sup>116</sup> *Ibid.*

<sup>117</sup> *Ibid.*

<sup>118</sup> *Ibid.*

region after “seventy-seven days.”<sup>119</sup> A Military-Technical Agreement was signed between Yugoslavia and NATO on June 9, 1999.<sup>120</sup>

On June 10, 1999, the United Nations Security Council met to debate whether Resolution 1244 should be passed to demand that all forces should withdraw.<sup>121</sup> The Resolution passed with 14 votes in favor and China abstaining. The United States, the United Kingdom, and France claimed that this resolution represented the power of the United Nations Security Council to pass humanitarian resolutions.<sup>122</sup> Throughout this debate, the Russian Federation once again condemned the actions of NATO as a violation of the United Nations Charter and a sovereign state.<sup>123</sup> China abstained from voting, arguing that NATO had been allowed by the United Nations Security Council to violate the United Nations Charter.<sup>124</sup> Brazil stated this resolution represented a chance for the United Nations Security Council to depict its joint effort to the international community.<sup>125</sup>

In addition, to the United Nations Security Council adopting Resolution 1244 to demand that the violence officially end and that all forces withdraw, the United Nations Security Council announced that the crisis would be handled with regard to Chapter VII of the Charter.<sup>126</sup> Making a total of 8 members, “the Foreign Ministers of the Group of Seven industrialized countries and” Russia, focused on ending the violence, focused on withdrawing all forces from the region, employed a force that would ensure lasting peace, established an interim government, attempted

<sup>119</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>120</sup> *Ibid.*

<sup>121</sup> *4011th Meeting*. Security Council (United Nations, June 10 1999).

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV4011.pdf>.

<sup>122</sup> *Ibid.* p. 9.

<sup>123</sup> *Ibid.* p. 7-8.

<sup>124</sup> *Ibid.* p. 8-9.

<sup>125</sup> *Ibid.* p. 17-18.

<sup>126</sup> "Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

to ensure that refugees were protected, attempted to provide the interim government with a framework to ensure that the region could govern itself, and attempted to establish a rhetoric to maintain economic growth and stability.<sup>127</sup>

On June 20, 1999, the Supreme Allied Commander Europe (SACEUR) confirmed that all of the Serbian forces had left Serbia and Operation Allied Force was terminated.<sup>128</sup> NATO has since spearheaded multiple humanitarian missions to aid the region.<sup>129</sup>

After “17 rounds” of negotiations between Kosovo and Serbia in 2006, neither side could reach a consensus.<sup>130</sup> The main principles of the negotiations included: no divisions of Kosovo, no return to the prior situation of 1999, “allow communities to participate in government,” and “ensure multiethnicity”.<sup>131</sup> The United Nations Secretary-General created the Ahtisaari Plan in 2007 which allowed independence, but placed some constraints on the sovereignty of Kosovo.<sup>132</sup> Both Serbia and the Russian Federation rejected this plan.

During a meeting concerning the status of Kosovo on February 18, 2008, the Russian Federation deemed the unilateral independence of Kosovo as illegal because the actions did not meet the requirements of the Helsinki Final Act.<sup>133</sup> The Russian Federation also claimed that the Security Council did not authorize the independence of Kosovo.<sup>134</sup> China also condemned these actions by stating that the United Nations Charter protected a state’s territorial

<sup>127</sup> "Historical Overview: NATO’s Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>128</sup> *Ibid.*

<sup>129</sup> *Ibid.*

<sup>130</sup> Rohan, Albert. "Kosovo’s Path to Independence." European Council on Foreign Relations, Updated February 2, 2018, [https://www.ecfr.eu/article/commentary\\_kosovos\\_path\\_to\\_independence](https://www.ecfr.eu/article/commentary_kosovos_path_to_independence).

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*

<sup>133</sup> *5839th Meeting*. Security Council (United Nations, February 18 2008). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S%20PV%205839.pdf>. p. 6.

<sup>134</sup> *Ibid.* p. 7.

integrity and sovereignty.<sup>135</sup> France claimed that this was “a unique situation” due to the dissolution of Yugoslavia and that Serbia did not accept and acknowledge Kosovo’s independence.<sup>136</sup> The United States justified its actions by claiming that the Serbian government took away Kosovo’s autonomy and committed human rights violations against its population.<sup>137</sup> with the new Serbian government’s attempt to write out the future of Kosovo by leaving out “90 per cent of the territory’s population.”<sup>138</sup> Resolution 1244 was passed in an attempt to keep Kosovo a part of Serbia, but, after two years of debate, the idea that a settlement could be achieved no longer seemed possible.<sup>139</sup> The International Court of Justice approved Kosovo’s independence prior to Kosovo actually declaring its independence, indicating that the decision was not necessarily unilateral.<sup>140</sup>

Now, the majority of United Nations Member States recognize Kosovo as an independent state.<sup>141</sup> After Kosovo declared independence in 2008, the International Court of Justice declared that the case did not constitute a violation of international law and deemed that it was a unique case (*sui generis*).<sup>142</sup>

### Prior Responsibility to Protect Cases

Background: Côte d’Ivoire (2010)

<sup>135</sup> *5839th Meeting*. Security Council (United Nations, February 18 2008).

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S%20PV%205839.pdf>. p. 8.

<sup>136</sup> *Ibid.* p. 21.

<sup>137</sup> *Ibid.* p. 12.

<sup>138</sup> *Ibid.* p. 13.

<sup>139</sup> *Ibid.* p. 18.

<sup>140</sup> Rohan, Albert. "Kosovo’s Path to Independence." European Council on Foreign Relations, Updated February 2, 2018, [https://www.ecfr.eu/article/commentary\\_kosovos\\_path\\_to\\_independence](https://www.ecfr.eu/article/commentary_kosovos_path_to_independence).

<sup>141</sup> *Ibid.*

<sup>142</sup> *Ibid.*

The United Nations had previously intervened in Côte d'Ivoire in 2004 when war broke out after Economic Community of West African States (ECOWAS) and France attempted to stop the violence in 2002.<sup>143</sup> France was one of the first main states to intervene in the civil war between 2002 and 2003.<sup>144</sup> In "Operation Licorne," military force was provided by France after Côte d'Ivoire's president requested this from the French.<sup>145</sup> The French claimed that this military intervention was to protect the French individuals in Côte d'Ivoire and to protect its regional importance to France.<sup>146</sup> ECOWAS became involved in the conflict and a unilateral agreement to "a cease-fire" was passed by the Forces Nouvelles<sup>147</sup> with ECOWAS military forces being placed in Côte d'Ivoire.<sup>148</sup> After more resistance grew in Côte d'Ivoire against the French, France began advocating for the United Nations Security Council to intervene.<sup>149</sup> The United States expressed concern about this because of the limited economic resources available at the time.<sup>150</sup> The ECOWAS attempted negotiations in January 2003 while the United Nations attempted to develop a peacekeeping mission in Côte d'Ivoire and the United Nations Security Council became more involved.<sup>151</sup> Eventually, tensions diminished after the United Nations Security Council approved of the United Nations Operation in Côte d'Ivoire (UNOCI) along with France and ECOWAS continued to have military force, peacekeepers, and mediations present.<sup>152</sup> When violence broke out again in Côte d'Ivoire in 2010, UNOCI was still present.<sup>153</sup>

<sup>143</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June 2018).  
[https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 6.

<sup>144</sup> *Ibid.* p. 6.

<sup>145</sup> *Ibid.* p. 6.

<sup>146</sup> *Ibid.* p. 6.

<sup>147</sup> *Ibid.* p. 6.

<sup>148</sup> *Ibid.* p. 6.

<sup>149</sup> *Ibid.* p. 8.

<sup>150</sup> *Ibid.* p.8.

<sup>151</sup> *Ibid.* p.8

<sup>152</sup> *Ibid.* p.8.

<sup>153</sup> *Ibid.* p. 15.

A contested presidential election was the trigger for the violence in 2010 in Côte d'Ivoire.<sup>154</sup> This election was between Laurent Gbagbo, the incumbent, and Alassane Ouattara, a known opposition leader.<sup>155</sup> The supporters for these candidates were divided along ethnic, regional and religious grounds.<sup>156</sup> Gbagbo stated that he would not step down as President after the results declared that Ouattara had won on December 2, 2010.<sup>157</sup> After the election, both leaders created separate governments in Abidjan.<sup>158</sup> Both leaders had military forces backing them.<sup>159</sup> A thousand civilians had died according to Ban Ki-moon, the United Nations Secretary-General.<sup>160</sup> According to the United Nations High Commissioner of Refugees, the violence caused 500,000 civilians to be displaced and 94,000 civilians escaped to Liberia to avoid violence.<sup>161</sup>

The African Union intervened within days of the start of the violence. On January 28, 2011, Thabo Mbeki, former President of South Africa, was sent by the African Union with Raila Odinga to attempt to mediate between the two leaders.<sup>162</sup> This created the "High-Panel for the Resolution of the Crisis in Côte d'Ivoire" on March 4, 2011 which urged the political parties to end the violence.<sup>163</sup> However, Gbagbo denied these attempts at resolving the conflict. The African Union Peace and Security Council deemed that Ouattara had won the election on March 10, 2011.<sup>164</sup> Additionally, the Minister of Foreign Affairs of Cape Verde, José Brito, was

<sup>154</sup> "The Crisis in Côte d'Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

<sup>155</sup> *Ibid.*

<sup>156</sup> *Ibid.*

<sup>157</sup> *Ibid.*

<sup>158</sup> *Ibid.*

<sup>159</sup> *Ibid.*

<sup>160</sup> *Ibid.*

<sup>161</sup> *Ibid.*

<sup>162</sup> *Ibid.*

<sup>163</sup> *Ibid.*

<sup>164</sup> *Ibid.*

nominated to lead a team to end the violence. However, Ouattara rejected this because of Brito's supposed bias towards Gbagbo.<sup>165</sup>

ECOWAS joined to end the violence, but was less connected with the African Union during this intervention.<sup>166</sup> As part of a team sent to end the violence was the President of Niger, Olusegun Obasanjo.<sup>167</sup> Additionally, Gbagbo received sanctions and ECOWAS warned that they were prepared to use force if the violence did not end.<sup>168</sup> The United Nations Security Council was requested by ECOWAS to take a stronger stance in the conflict by increasing the resolution allowing the United Nations Operation in Côte d'Ivoire (UNOCI) activities on March 25, 2011.<sup>169</sup> ECOWAS reported that civilians were being attacked in a report on April 5, 2011.<sup>170</sup>

Ouattara was recognized as the President of Côte d'Ivoire by the European Union (EU), the United Kingdom, France, the United States, and Germany.<sup>171</sup> Gbagbo was also given sanctions by both the United States and the European Union in an attempt to provide punishment for the violence.<sup>172</sup> However, the United Nations Security Council remained unsure of how to proceed in the crisis.<sup>173</sup> This debate has been seen as a debate between “legalists” and “sovereignists”.<sup>174</sup> The “legalists” included the United Kingdom, France, the United States,

<sup>165</sup> "The Crisis in Côte d'Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

<sup>166</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 18.

<sup>167</sup> "The Crisis in Côte d'Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

<sup>168</sup> *Ibid.*

<sup>169</sup> *Ibid.*

<sup>170</sup> *Ibid.*

<sup>171</sup> *Ibid.*

<sup>172</sup> *Ibid.*

<sup>173</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 18.

<sup>174</sup> *Ibid.* p. 18.

and Germany.<sup>175</sup> The “sovereignists” included South Africa, China, Brazil, and Russia.<sup>176</sup> The “legalists” argued that the United Nations Security Council should continue to aid Côte d’Ivoire while the “sovereignists” argued that the problem needed to be solved by the Ivoirian government.<sup>177</sup> There were divisions amongst the states. The members of the Security Council that were not permanent members included South Africa, Gabon, and Nigeria.<sup>178</sup> Nigeria advocated for a military force with Senegal and Burkina Faso in order to end the violence.<sup>179</sup> Gabon was worried that the use of force would only cause more violence and death.<sup>180</sup> South Africa backed Gbagbo and deployed a naval vessel to monitor the situation and to deter Nigeria from using force.<sup>181</sup> The United States advocated that France take care of the issue itself, but decided that intervention needed to occur in order to officially end the crises in Côte d’Ivoire. Both China and Russia advocated for the international community to not intervene in internal matters of Côte d’Ivoire.<sup>182</sup>

Gbagbo’s government was accused of using “hate speech” against the opposing side. Francis Deng, the Special Adviser of the Secretary-General on the Prevention of Genocide and Edward Luck, the Special Adviser to the Secretary-General on the Responsibility to Protect emphasized that Gbagbo’s government was using hate speech to inspire violence.<sup>183</sup> They also claimed in another statement that this situation had reached a level of “responsibility to protect” because “the possibility of genocide, crimes against humanity, war crimes and ethnic cleansing”

<sup>175</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D’Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 18.

<sup>176</sup> *Ibid.* p.18.

<sup>177</sup> *Ibid.* p.18.

<sup>178</sup> *Ibid.* p.18.

<sup>179</sup> *Ibid.* p.18.

<sup>180</sup> *Ibid.* p. 18.

<sup>181</sup> *Ibid.* p. 18-19.

<sup>182</sup> *Ibid.* p. 18. (footnote 30).

<sup>183</sup> "The Crisis in Côte d’Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

warranted an intervention by the international community.<sup>184</sup> The United Nations Security Council aided Ouattara's forces by providing military and personnel support from December 20, 2010 through June 30, 2011 with Resolution 1962.<sup>185</sup> The United Nations General-Secretary Ki-moon allowed the United Nations Operations in Côte d'Ivoire (UNOCI) to prevent the use of weapons by any means.<sup>186</sup> However, a military force continued to protect Ouattara and eventually arrested Gbagbo on April 11, 2011.<sup>187</sup> After the capture of Gbagbo, Ouattara spoke to the United Nations Human Rights Council and urged the International Criminal Court to investigate the attacks in Abidjan. The European Union advocated that the attacks against the Abidjan population constitute crimes against humanity on March 25, 2011.<sup>188</sup> Ouattara's forces were also under suspicion of burning infrastructure and attacking civilians on April 9, 2011 by the Human Rights Watch.<sup>189</sup>

The Human Rights Council passed Resolution A/HRC/16/33<sup>190</sup> to send an independent team to determine if the gross human rights violations had occurred.<sup>191</sup> On December 23, 2011, the Human Rights Council condemned the alleged human rights violations. Kyung-wha Kang, the United Nations Deputy High Commissioner for Human Rights, stated that 173 people had been killed December 16-21, 2011.<sup>192</sup> The United Nations Security Council claimed the attacks on civilians constituted crimes against humanity and passed Resolution 1975 to incite sanctions

<sup>184</sup> "The Crisis in Côte d'Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

<sup>185</sup> *Ibid.*

<sup>186</sup> *Ibid.*

<sup>187</sup> *Ibid.*

<sup>188</sup> *Ibid.*

<sup>189</sup> *Ibid.*

<sup>190</sup> *16/33 Mandate of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance* United Nations General Assembly Human Rights Council (United Nations General Assembly Human Rights Council, April 13 2011). <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/128/04/PDF/G1112804.pdf?OpenElement>.

<sup>191</sup> *Ibid.*

<sup>192</sup> *Ibid.*

against Gbagbo on March 30, 2012, The “legalists” had won the argument in the United Nations Security Council.<sup>193</sup>

#### Background: Libya (2011)

Libya (2011) represents one case in which the United Nations authorized the use of military force in order to stop violence using the Responsibility to Protect. Libyan forces began targeting civilian protestors in February 2011.<sup>194</sup> These protestors were urging Muammar Gaddafi to finally end his presidency after 41 years.<sup>195</sup> In response to these protests, Gaddafi authorized the Libyan army to attack the protestors.<sup>196</sup> Throughout the beginning of the attacks on civilians, Gaddafi also utilized language that reminded the international community of the language used during genocide in Rwanda.<sup>197</sup> Within four days, 233 civilians had been killed according to Human Rights Watch.<sup>198</sup> Before the United Nations became involved, regional organizations quickly condemned the actions of the Libyan government. The League of Arab States, the Organization of the Islamic Conference (OIC), and the African Union (AU) became involved on February 22-23, 2011 by demanding an immediate end to the violence.<sup>199</sup> They attempted to mediate the situation; however, a consensus never occurred.<sup>200</sup> The African Union established “a Roadmap for peace” in order to end the violence.<sup>201</sup> On February 22, 2011, a

<sup>193</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 19.

<sup>194</sup> "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>195</sup> *Ibid.*

<sup>196</sup> *Ibid.*

<sup>197</sup> *Ibid.*

<sup>198</sup> *Ibid.*; "Libya: Governments Should Demand End to Unlawful Killings." *Human Rights Watch* 2011, <https://www.hrw.org/news/2011/02/20/libya-governments-should-demand-end-unlawful-killings#>.

<sup>199</sup> "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>200</sup> *Ibid.*

<sup>201</sup> *Ibid.*

government in opposition to Gaddafi was formed and was later called the National Transitional Council (NTC).<sup>202</sup> However, the NTC did not approve of the “Roadmap” and demanded that Gaddafi step-down.<sup>203</sup>

The United Nations Security Council met on February 26, 2011 to discuss the situation in Libya and the potential passing of Resolution 1970.<sup>204</sup> This resolution enacted sanctions, travel bans, and froze assets of Gaddafi and his associates in Libya.<sup>205</sup> This resolution would also refer the case to the International Criminal Court.<sup>206</sup> The United Kingdom and France advocated for these bans and sanctions to be placed on Libya to end the violence.<sup>207</sup> The United States asserted that a government killing its own people is clearly against international law.<sup>208</sup> India condemned the use of force by officials in Libya.<sup>209</sup> Germany urged the international community to intervene to ensure that these violations would not be tolerated, particularly “systematic violation[s] of human rights.”<sup>210</sup> China urged the international community to ensure that the conflict was ended as swiftly as possible.<sup>211</sup> The Russian Federation claimed that the imposition of sanctions and travel bans would deter the Libyan government from further violence and wanted to ensure that Libya’s “territorial integrity” and sovereignty was protected.<sup>212</sup>

<sup>202</sup> The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>203</sup> *Ibid.*

<sup>204</sup> *6491st Meeting*. Security Council (United Nations, February 26 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206491.pdf>.

<sup>205</sup> “The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>206</sup> *6491st Meeting*. Security Council (United Nations, February 26 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206491.pdf>, p. 2.

<sup>207</sup> *Ibid.* p. 2-3 and 6-7.

<sup>208</sup> *Ibid.* p. 3-4.

<sup>209</sup> *Ibid.* p. 2.

<sup>210</sup> *Ibid.* p. 6.

<sup>211</sup> *Ibid.* p. 4.

<sup>212</sup> *Ibid.* p. 4-5.

The international community reacted quickly to the continuing violence. Canada, Switzerland, Australia, and the United States applied sanctions to Libya and the United Kingdom and France began discussing the potential of using military intervention.<sup>213</sup> On March 29, 2011, non-governmental organizations and “thirty-five governments” met to discuss what to do to end the violence.<sup>214</sup> They decided to utilize all of the regional and international organizations in Libya to make a joint-effort against Gaddafi.<sup>215</sup> All of these actors recognized the National Transitional Council (NTC) as the true government of Libya.<sup>216</sup>

The “Special Advisers on the Prevention of Genocide and the Responsibility to Protect” commented that the Libyan government had failed its responsibility to protect its people.<sup>217</sup> Resolution S-15/2<sup>218</sup> was passed by the Human Rights Council (HRC) urging the Libyan government under Gaddafi to uphold its responsibility to protect its civilians.<sup>219</sup> After the Human Rights Council, Arab League, Organization of the Islamic Conference, and the African Union expressed their concerns for the violence in Libya, the United Nations Security Council unanimously passed Resolution 1970.<sup>220</sup> The International Criminal Court (ICC) was also notified of the situation.<sup>221</sup> However, Gaddafi continued to attack civilians.<sup>222</sup>

<sup>213</sup> “The Crisis in Libya”. *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>214</sup> *Ibid.*

<sup>215</sup> *Ibid.*

<sup>216</sup> *Ibid.*

<sup>217</sup> *Ibid.*

<sup>218</sup> *S-15/2 Situation of Human Rights in the Libyan Arab Jamahiriya* United Nations Human Rights Council (United Nations Human Rights Council, February 25 2011).

<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20A%20HRC%20S%2015%202.pdf>.

<sup>219</sup> “The Crisis in Libya”. *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>220</sup> *Resolution 1970 (2011)* (United Nations Security Council, February 26 2011).

[https://www.undocs.org/S/RES/1970%20\(2011\)](https://www.undocs.org/S/RES/1970%20(2011)).; “The Crisis in Libya”. *International Coalition for the Responsibility to Protect* accessed March 1, 2020,

<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>221</sup> “The Crisis in Libya”. *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

The European Union (EU) also attempted to stop the violence by placing a travel ban, arms embargo, and sanctions of Gaddafi on March 10, 2011.<sup>223</sup> On the same day, the United Nations Security Council mandated a no fly-zone in Resolution 1973, which was welcomed by the Organization of the Islamic Conference (OIC).<sup>224</sup> This Resolution allowed military force to be used by the Member States in order to stop the violence.

During the United Nations debate as to whether or not the United Nations Security Council should allow military force in Libya., the United States claimed that the use of force by the United Nations and the implementation of a no-fly zone was justified because the Libyan government had continued the violence against its people and referred to the violence as crimes against humanity and war crimes.<sup>225</sup> The United Kingdom claimed that the central focus of the use of force was to end the violence.<sup>226</sup> South Africa deemed that this resolution was necessary to end the violence.<sup>227</sup> France argued that the action to include the use of force was justified because the measures already taken did not end the violence, and stressed that there was a limited amount of time to end the violence.<sup>228</sup>

Germany claimed that it would not support the use of military force in Libya because the use of military force could increase the number of lives lost and the implications of withdrawing

<sup>222</sup> *Resolution 1973 (2011)* (United Nations Security Council, March 17 2011).

[https://www.undocs.org/S/RES/1973%20\(2011\)](https://www.undocs.org/S/RES/1973%20(2011)).; "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020,

<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>223</sup> "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>224</sup> *Ibid.*

<sup>225</sup> *6498th Meeting*. Security Council (United Nations, March 17 2011).

<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206498.pdf>. p. 5.

<sup>226</sup> *Ibid.* p. 4.

<sup>227</sup> *Ibid.* p. 10.

<sup>228</sup> *Ibid.* p. 2.

the military at a later date may cause more danger.<sup>229</sup> India condemned the use of force and claimed that it should not be used as a resort to end violence.<sup>230</sup> India was also concerned how the financial implications of the resolution would affect the citizens in Libya. Brazil thought that the decision to use military force should not have been made in the United Nations Security Council and that, by using military force, more issues might develop.<sup>231</sup> The Russian Federation abstained from voting because it condemned the use of force that might cause further death to the Libyan citizens, resolution 1970 had not answered the Russian Federation's questions regarding how the no-fly zone expected to be enforced by the international community, and that the fastest way to end the violence and create stability in the future would be to declare a "ceasefire".<sup>232</sup> China urged the United Nations Security Council to ensure that the United Nations Charter was followed and needed to "respect the sovereignty, independence, unity and territorial integrity".<sup>233</sup> China decided to abstain from voting due to the situation in Libya, even though it was not in support of the resolution.<sup>234</sup>

The 15 members of NATO were the main states that aided in the military force in Libya.<sup>235</sup> The United Arab Emirates, Sweden, Jordan, and Qatar also aided in the military no-fly zones.<sup>236</sup> The international community, including the United Nations General Assembly,

<sup>229</sup> *6498th Meeting*. Security Council (United Nations, March 17 2011).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206498.pdf>, p. 4.

<sup>230</sup> *Ibid.* p. 5.

<sup>231</sup> *Ibid.* p. 6.

<sup>232</sup> *Ibid.* p. 8.

<sup>233</sup> *Ibid.* p. 10.

<sup>234</sup> *Ibid.* p. 10.

<sup>235</sup> *Ibid.* p. 10.

<sup>236</sup> *Ibid.* p. 10.

recognized the NTC led by Mustafa Abdul Jalil in September 2011.<sup>237</sup> The African Union later continued to oppose the sanctions and force used by the United Nations Security Council.<sup>238</sup> After the NTC declared victory upon Gaddafi's and his son's deaths, the violence stopped on October 24 2011.<sup>239</sup> The United Nations Security Council declared an end to the no-fly zone on October 26 2011.<sup>240</sup> NATO's part in this atrocity will not be discussed in this thesis.

Following the conclusion of the of the no-fly zone, both of the forces in the conflict were found responsible of crimes against humanity and war crimes by the International Commission of Inquiry on Libya in March 2012.<sup>241</sup>

#### Background: Syria (2011)

The Syrian crisis began in March 2011 when protestors demanded that political prisoners be released. Armed forces began attacking the protestors.<sup>242</sup> The attacks continued into July 2011, when civilians began to be subjected to torture and detention by militia groups.<sup>243</sup> Bashar al-Assad, the President of Syria, denied having any involvement in these attacks and claimed that the attacks were solely the responsibility of militia groups in the country.<sup>244</sup> Additionally, he did not allow humanitarian groups to have access to the civilians in Syria.<sup>245</sup> The al-Assad regime

<sup>237</sup> *6498th Meeting*. Security Council (United Nations, March 17 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206498.pdf>. p. 10.

<sup>238</sup> *Ibid.* p. 10.

<sup>239</sup> *Ibid.* p. 10.

<sup>240</sup> *Ibid.* p. 10.

<sup>241</sup> *6498th Meeting*. Security Council (United Nations, March 17 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206498.pdf>. p. 10.

<sup>242</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect* <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>243</sup> *Ibid.*

<sup>244</sup> *Ibid.*

<sup>245</sup> *Ibid.*

also ceased all media from Syria in March 2011.<sup>246</sup> Both the Syrian National Council (SNC) and the Free Syrian Army (FSA) formed in opposition to the al-Assad regime.<sup>247</sup> The FSA starting violently attacking al-Assad's forces in August 2011 and civilian attacks began on both sides.<sup>248</sup>

The League of Arab States (LAS) did not want to pursue a unilateral plan to end the violence and wanted support from the international community, but the United Nations Security Council could not come to a unanimous decision.<sup>249</sup> The LAS attempted to pursue a plan of peace with Syria nine months after the start of the violence; however, the Syrian government did not follow this plan. The LAS revoked Syria's membership and urged the United Nations Security Council to act after it observed crimes against humanity in an investigate mission on January 29, 2012.<sup>250</sup> The Gulf Cooperation Council replaced Syria in the League of Arab States in 2013.<sup>251</sup> Once again, the League of Arab States demanded that the United Nations intervene after it found evidence that the Assad regime was using chemical weapons against civilians in September 2013.<sup>252</sup>

The European Union (EU) also attempted to end the violence.<sup>253</sup> Assad received sanctions from the EU.<sup>254</sup> Additionally, the European Union advocated for the Assad regime to end in 2013. Furthermore, the European Union stopped the "arms embargo" against Assad in order to supply the rebel with supplies.<sup>255</sup> France and the United Kingdom advocated to send in

<sup>246</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect*  
<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>247</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect*  
<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>248</sup> *Ibid.*

<sup>249</sup> *Ibid.*

<sup>250</sup> *Ibid.*

<sup>251</sup> *Ibid.*

<sup>252</sup> *Ibid.*

<sup>253</sup> *Ibid.*

<sup>254</sup> *Ibid.*

<sup>255</sup> *Ibid.*

military enforcements, while the other EU members warned that this would cause the violence to continue.<sup>256</sup>

In September 2011, the United Nations Human Rights Council conducted an International Commission of Inquiry mission to inquire into the human rights violations in Syria and concluded that both sides of the conflict were at fault for crimes against humanity and war crimes.<sup>257</sup> For instance, in the OHCHR report published on September 15, 2011, the investigator found that military forces sieged a mosque which resulted in the death of six people.<sup>258</sup> In another instance, the government forces dressed as civilians to cause more unrest during protests.<sup>259</sup> In particular, this report noted that the investigator discussed with witnesses and victims that events occurred which correlate to human rights violations on both sides of the conflict including “murder and disappearances”, “torture,” “deprivation of liberty,” and “persecution”.<sup>260</sup>

During a United Nations Security Council meeting, a draft resolution (S/2011/612) proposed by Germany, France, Portugal, and the United Kingdom was vetoed by both China and Russia.<sup>261</sup> This draft resolution demanded a ceasefire and an end to the violence. France claimed that action needed to be taken to take a stance to stop the “intimidation” and violence that the Syrian government was imposing on its citizens.<sup>262</sup> The United Kingdom stressed that the human

<sup>256</sup> "EU Lifts Arms Embargo on Syrian Rebels ". *Aljazeera* May 28, 2013, <https://www.aljazeera.com/news/2013/05/2013527185914804364.html>.

<sup>257</sup> *Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in the Syrian Arab Republic* Human Rights Council (United Nations General Assembly, September 15 2011). [https://www.ohchr.org/Documents/countries/SY/Syria\\_Report\\_2011-08-17.pdf](https://www.ohchr.org/Documents/countries/SY/Syria_Report_2011-08-17.pdf). p. 20-24.

<sup>258</sup> *Ibid.* p. 10.

<sup>259</sup> *Ibid.* p. 20.

<sup>260</sup> *Ibid.* p. 20-24.

<sup>261</sup> *6627th Meeting*. Security Council (United Nations, October 4 2011). <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>.

<sup>262</sup> *Ibid.* p. 2-3.

rights violations needed to end.<sup>263</sup> Even though it acknowledged attempts by both Russia and China to bilaterally end the violence, the United Kingdom commented that these had not worked at the time of the voting.<sup>264</sup> The United States condemned the human rights violations of the Assad regime in Syria and demanded that the United Nations Security Council uphold that these violations were unlawful.<sup>265</sup> Germany acknowledged the human rights violations and deemed that the regional stability was at risk due to the current situation.<sup>266</sup>

The Russian Federation and China opposed this draft resolution and created their own draft resolution, which the Russian Federation stressed respected the territorial integrity and sovereignty of Syria in a way that also included “non-intervention”, “unity of the Syrian people”, no confrontation, and allowed all peoples to discuss how to end the violence.<sup>267</sup> The Russian Federation also accused the resolution of being unilateral and was worried that the other states would conduct the same action as they did in Libya.<sup>268</sup> The violence on the civilians was blamed on radicals and terrorists.<sup>269</sup> Russia also announced that it had the support of the BRICS countries.<sup>270</sup> China supported the statements of the Russian Federation and also added that mediation and negotiation should be used instead of sanctions as they do not end the violence.<sup>271</sup> India supported the negotiations advocated by the draft resolution submitted by Russia and China because it was unsure if sanctions could truly end the violence.<sup>272</sup> South Africa urged that the solution must be made with respect to territorial integrity and sovereignty because Syria was

<sup>263</sup> *6627th Meeting*. Security Council (United Nations, October 4 2011).  
<https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>. p. 7.

<sup>264</sup> *Ibid.* p. 7.

<sup>265</sup> *Ibid.* p. 9.

<sup>266</sup> *Ibid.* p. 10.

<sup>267</sup> *Ibid.* p. 3.

<sup>268</sup> *Ibid.* p. 4.

<sup>269</sup> *Ibid.* p. 4.

<sup>270</sup> *Ibid.* p. 4.

<sup>271</sup> *Ibid.* p. 5.

<sup>272</sup> *Ibid.* p. 7.

vital for the Middle East's stability.<sup>273</sup> Brazil reiterated that the only way to effectively end the violence was to proceed with a constructive dialogue.<sup>274</sup>

In a survey of 889 Syrian refugees living in Germany conducted by the Berlin Social Sciences Center, the violations of human rights were confirmed.<sup>275</sup> When asked why the respondents fled Syria, the majority of respondents, 69%, reported they were scared for their lives.<sup>276</sup> To support this sentiment, when the respondents were asked "Was getting arrested or kidnapped a threat to your personal safety?", 86% responded yes.<sup>277</sup> Additionally, when asked, "Who did you fear getting kidnapped or arrested by?" 567 responded that they were fearful of getting kidnapped by the "Syrian Army and its allied groups" and 312 responded "ISIS".<sup>278</sup>

The United Nations Human Rights Council authorized an investigation into the atrocities in September 2011.<sup>279</sup> The United Kingdom, France, and the United States outright condemned the Assad regimes use of force against its people.<sup>280</sup> Russia did not condemn the violence and claimed that it did not want to intervene and diminish Syria's sovereignty.<sup>281</sup> Supposedly, 6000 barrel bombs have been dropped on the Syrian civilians and have killed 20,000.<sup>282</sup> In A/HRC/22/59, the commission found evidence of gross human rights violations and "war

<sup>273</sup> *6627th Meeting*. Security Council (United Nations, October 4 2011).  
<https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>. p. 11.

<sup>274</sup> *Ibid.* p. 12.

<sup>275</sup> Osborne, Samuel, "8 Graphs That Challenge What You Think You Know About Syrian Refugees in Europe ". *Independent* October 15 2015, <https://www.independent.co.uk/news/world/europe/8-graphs-that-challenge-what-you-think-you-know-about-syrian-refugees-in-europe-a6689021.html>.

<sup>276</sup> *Ibid.*

<sup>277</sup> *Ibid.*

<sup>278</sup> *Ibid.*

<sup>279</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect*  
<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>280</sup> *Ibid.*

<sup>281</sup> *Ibid.*

<sup>282</sup> *Ibid.*

crimes”.<sup>283</sup> Specifically, there was evidence of “arbitrary arrest and detention, [and] unlawful attack...”<sup>284</sup> In the fifth statement released by the Special Advisers of the General Secretary on the Prevention of Genocide on June 14, 2012, they stated that the government of Syria had failed its responsibility to protect its people.<sup>285</sup>

The United Nations General Assembly released multiple statements demanding that the Syrian government stop the violence against its civilians.<sup>286</sup> Ban Ki-moon, the United Nations Secretary-General urged the United Nations Security Council to take action in Syria in January 2013.<sup>287</sup> The United Nations Secretary-General claimed that the Syrian government had failed its responsibility to protect its people in a resolution on May 15, 2013. Another resolution once again urged the Assad regime to end the violence on December 19, 2013.<sup>288</sup>

In response, the United Nations Security Council could not come to a unanimous decision about whether to enact military force.<sup>289</sup> The Security Council attempted to pass a resolution to aid the Arab League in ceasing the violence in the region.<sup>290</sup> China and Russia vetoed the majority of resolutions that the UNSC attempted to pass.<sup>291</sup> China and Russia also vetoed a resolution to extend aid across the border to Syria and vetoed a resolution to impose sanctions on Syria for the use of chemical weapons against its people.<sup>292</sup> Without another option for passing a resolution to end the violence, the United Nations Human Rights Council and the United Nations General Assembly continued to report on the human rights violations committed by the Syrian

<sup>283</sup> *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*. (United Nations General Assembly Human Rights Council, February 5 2013).  
[https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A.HRC.22.59\\_en.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A.HRC.22.59_en.pdf).

<sup>284</sup> *Ibid.* p. 1.

<sup>285</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect*  
<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>286</sup> *Ibid.*

<sup>287</sup> *Ibid.*

<sup>288</sup> *Ibid.*

<sup>289</sup> *Ibid.*

<sup>290</sup> *Ibid.*

<sup>291</sup> *Ibid.*

<sup>292</sup> *Ibid.*

Government.<sup>293</sup> The International Criminal Court also pushed the United Nations Security Council to reconsider their votes.<sup>294</sup> The Special Advisers of the General-Secretary on the Prevention of Genocide and on the Responsibility to Protect released a fifth statement on June 14 2012 stating Syria had failed its responsibility to protect its people.<sup>295</sup> On September 7, 2013, the United Nations Security Council passed Resolution 2118 which had the Syrian government destroy its chemical weapons stockpile.<sup>296</sup> The violence continued after this sentiment and Navi Pillay announced that the United Nations inquiry into the situation showed evidence of major human rights violence committed by the Syrian government on December 2, 2013.<sup>297</sup> After these violations were discovered, the United Nations Security Council unanimously voted Resolution 2139 to deliver humanitarian aid to Syria.<sup>298</sup> Similarly, Resolution 2165 was passed stating once again that the Syrian government had failed its responsibility to protect its people and must begin to protect its people in July 2014.<sup>299</sup> While the Assad regime continued to deny the aid from the Security Council, the Security Council deemed that the government had lost its right to decide what occurred in its country.<sup>300</sup>

Throughout these negotiations in the United Nations Security Council, Russia attempted to find a unilateral solution.<sup>301</sup> The Russian Federation encouraged the Syrian government to stop its violence against its civilians.<sup>302</sup> In addition, the Russian Federation claimed that the Syrian

<sup>293</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect* <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>294</sup> *Ibid.*

<sup>295</sup> *Ibid.*

<sup>296</sup> *Ibid.*

<sup>297</sup> *Ibid.*

<sup>298</sup> *Ibid.*

<sup>299</sup> "Resolution 2165 (Syria) S/Res/2165." *Global Centre For The Responsibility to Protect* July 14 2014, <https://www.globalr2p.org/resources/resolution-2165-syria-s-res-2165/>.

<sup>300</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect* <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>301</sup> *Ibid.*

<sup>302</sup> *Ibid.*

government did not have power over its country in late 2012.<sup>303</sup> Russia claimed that it would have a meeting with Syria and the United States to end the violence and determine what to do with the chemical weapons supply.<sup>304</sup> Other support had also been seen from states in the form of supplies from each side. Hezbollah, Russia, and Iran were supporting Assad and Qatar, while Turkey, Saudi Arabia, the United Kingdom, and the United States were supporting the Free Syrian Army.<sup>305</sup>

Meetings and conferences throughout 2013 and 2014 ended with little results.<sup>306</sup> During a meeting on May 22, 2014, a draft resolution was written to confirm that the Syrian government and others had performed human rights violations since the beginning of the conflict.<sup>307</sup> It would have also passed on the alleged human rights violations to the International Criminal Court.<sup>308</sup> It was vetoed by both the Russian Federation and China. It was approved by Nigeria, Rwanda, the United Kingdom, the United States, Luxembourg, Chad, Chile, Australia, France, Lithuania, Jordan, the Republic of Korea, and Argentina.<sup>309</sup>

The United States and the United Kingdom argued that the human rights violations, including civilians being attacked by Syrian forces, required action by the United Nations Security Council.<sup>310</sup> France disputed the Russian claim that the Syrian National Coalition was a terrorist organization and accused the Russian Federation of sending weapons to the Syrian

<sup>303</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect*  
<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>304</sup> *Ibid.*

<sup>305</sup> *Ibid.*

<sup>306</sup> *Ibid.*

<sup>307</sup> *7180th Meeting*. Security Council (United Nations, May 22 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7180.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7180.pdf).

<sup>308</sup> *Ibid.* p. 2.

<sup>309</sup> *Ibid.* p .4.

<sup>310</sup> *Ibid.* p. 5-6.

government.<sup>311</sup> France demanded that the Syrian forces were held accountable for their human rights violations.<sup>312</sup>

The Russian Federation claimed that it was against its “Western colleagues” and how they vowed to only provide weapons to the “good guys”.<sup>313</sup> The “Western colleagues” had also not condemned the terrorist acts in Syria.<sup>314</sup> With regards to the ICC, the Russian Federation claimed that, when the individuals in Libya were referred to the ICC, the tension in the region only increased.<sup>315</sup> China urged the United Nations Security Council to be confident that the situation could be handled peacefully and stated that the United Nations Security Council should conduct discussions between the states instead of a vote on a draft resolution.<sup>316</sup> South Africa, India, and Brazil were not included in the vote and; therefore, did not make a statement.<sup>317</sup>

With the infiltration of the Islamic State and other terrorist networks in addition to the continuing violence on both sides, an end to the violence is currently not in sight for Syria.<sup>318</sup>

## Benchmarks

In order for these resolution to pass and constitute a case for the Responsibility to Protect, a state must determine that the verified human rights violations, particularly by focusing on the victims, are of the utmost importance and come before sovereignty. Additionally, the United Nations Security Council must approve all uses of force.

<sup>311</sup> *7180th Meeting*. Security Council (United Nations, May 22 2014).  
[http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7180.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7180.pdf), p. 15.

<sup>312</sup> *Ibid.* p. 15.

<sup>313</sup> *Ibid.* p. 12.

<sup>314</sup> *Ibid.* p. 12-13.

<sup>315</sup> *Ibid.* p. 13.

<sup>316</sup> *Ibid.* p. 14.

<sup>317</sup> *Ibid.*

<sup>318</sup> *Ibid.*

The United States, the United Kingdom, and France typically advocate that human rights violations constitute the need for immediate action by the United Nations Security Council. Russia, China, Brazil, and India typically deem that the sovereignty of a state is of the utmost importance. South Africa and Germany change their votes depending on the resolution and do not tend to always take one side of the argument. All states advocate for multilateral engagement and agree that permission must be granted by the United Nations Security Council to intervene to constitute as a case of R2P.

### Human Rights Violations

In order for a state's case to constitute a case of R2P, it must be deemed that human rights violations have created an emergency situation, mainly by citing the atrocities committed to the victims. This benchmark is demonstrated a majority of the time by the United States, the United Kingdom, and France. This argument is one of the most common arguments that leads to action by the United Nations Security Council. The resolutions outlined below represent those instances when human rights violations were deemed more important than sovereignty.

In Côte d'Ivoire (2010), the United States was unsure about whether or not the international community should intervene; however, the representative decided that intervention should occur in order to finally end the violence.<sup>319</sup> France, the United Kingdom, and Germany decided to support the argument that the human rights violations in Côte d'Ivoire (2010) needed to be stopped and that aid needed to be provided to the country.<sup>320</sup> Both Russia and China advocated that the violence in Côte d'Ivoire was an internal matter in which did not require

<sup>319</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 18. (footnote 30).

<sup>320</sup> *Ibid.* p. 18.

intervention by the international community.<sup>321</sup> South Africa stated that this was an internal matter that Gbagbo needed to solve within Côte d'Ivoire.<sup>322</sup> However, in an attempt to finally end the violence in Côte d'Ivoire the United Nations Security Council continued the mandate of the UNOCI and allowed “to use all necessary measures” to end the conflict with Resolution 1975.<sup>323</sup>

In Libya (2011), during the vote on Resolution 1970, the United Kingdom, France, the United States, and Germany held that immediate action needed to be taken in order for end the “systematic violation[s] of human rights”, specifically mentioning that the government attacking its own people was against international law.<sup>324</sup> Both China and Russia were uncertain whether imposing sanctions and travel bans on the country would truly lead to the end of the conflict and encouraged the United Nations Security Council that, to end the violence as quickly as possible, the sovereignty of Libya must be protected.<sup>325</sup> Russia insisted that these actions must take place in order to protect the sovereignty of Libya.<sup>326</sup> India also expressed the there was an issue of safety in Libya.<sup>327</sup> Throughout this resolution, it is evident that the international community deemed that actions needed to be taken in order to end the human rights violations in Libya.<sup>328</sup>

During the vote for Resolution 1973 regarding Libya (2011), the United Kingdom, France, South Africa, and the United States argued that, due to severity, the human rights violations need to stop immediately, specifically citing war crimes and crimes against

<sup>321</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 18.

<sup>322</sup> *Ibid.* p. 18-19.

<sup>323</sup> *Ibid.* p. 16

<sup>324</sup> *6491st Meeting*. Security Council (United Nations, February 26 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206491.pdf>. p. 2-7.

<sup>325</sup> *Ibid.* p. 4-5.

<sup>326</sup> *Ibid.* p. 3.

<sup>327</sup> *Ibid.* p. 2.

<sup>328</sup> *Ibid.*

humanity.<sup>329</sup> Germany, India, and Brazil were unsure if the use of force would lead to the end of the violence with killing more civilians.<sup>330</sup> The Russian Federation and China disagreed with the use of force, particularly since their concerns regarding the previous resolution had not been answered, although they deemed that the human rights violations still had to end.<sup>331</sup>

## Sovereignty

In order for a state's case to constitute a case for Responsibility to Protect, it must deem that the human rights violations are more important than the sovereignty of the state. Sovereignty focused on the state's ability to kill its own people. When the United Nations intervenes to end violence and control what occurs inside a state's borders, this is a violation of sovereignty. In the R2P cases analyzed, Russia, China, Brazil, India always argue that the state's sovereignty is of the utmost importance. The following resolutions and meetings outlined below represent when sovereignty was deemed more important by one of the members of the United Nations Security Council.

During the meeting on the draft resolution (S/2011/612) regarding Syria, China and Russia vetoed the resolution because it violated the sovereignty of Syria and accused the opposing side of trying to create a unilateral vote. Instead, Russia advocated for a draft resolution that supported "non-intervention", "unity of the Syrian people", no confrontation, and allowed all peoples to discuss how to end the violence.<sup>332</sup> Russia also claimed that it had the backing of

<sup>329</sup> *6498th Meeting*. Security Council (United Nations, March 17 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206498.pdf>. p. 2-10.

<sup>330</sup> *Ibid.* p. 4-6.

<sup>331</sup> *Ibid.* p. 8-10.

<sup>332</sup> *Ibid.* p. 3.

the BRICS countries.<sup>333</sup> South Africa, India, and China supported the statements made by Russia.<sup>334</sup> Brazil insisted that the use of military force would not be effective in ending the violence and supported Russia.<sup>335</sup> The United Kingdom, the United States, France, and Germany, all emphasized that humanitarian rights required the immediate intervention of the United Nations Security Council.<sup>336</sup>

During a meeting of the vote on another draft resolution regarding Syria on May 22, 2014, China and Russia vetoed the resolution.<sup>337</sup> This draft resolution wanted to send the alleged human rights violations to the International Criminal Court.<sup>338</sup> The United Kingdom, the United States, and France were in support of the resolution.<sup>339</sup> They argued that the human rights violations constituted an immediate need to end the violence.<sup>340</sup> Russia asked that the Syrian people be respected during this time in order to end the violence. Russia also insisted that this resolution would create a framework allowing military intervention. China supported this statement by Russia claiming that the situation needed to be handled peacefully and that more discussion needed to be conducted with all parties.<sup>341</sup> South Africa, India, Germany, and Brazil were not included in the vote and; therefore, did not make a statement.<sup>342</sup>

By these two draft resolutions not being implemented, it indicates that Syria was not deemed a case for R2P at this time. Syria was deemed a case of R2P by the United Nations

<sup>333</sup> *6627th Meeting*. Security Council (United Nations, October 4 2011). <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>. p. 4.

<sup>334</sup> *Ibid.* p. 11-12.

<sup>335</sup> *Ibid.* p. 12.

<sup>336</sup> *Ibid.* p. 2-10.

<sup>337</sup> *7180th Meeting*. Security Council (United Nations, May 22 2014). [http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7180.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7180.pdf).

<sup>338</sup> *Ibid.* p. 2.

<sup>339</sup> *Ibid.* p. 5-6 and 12-13.

<sup>340</sup> *Ibid.* p. 12-14.

<sup>341</sup> *Ibid.* p. 14.

<sup>342</sup> *Ibid.*

Security Council in July 2014 with Resolution 2165.<sup>343</sup> This indicates that, in order for a case to be deemed a case of R2P, it must contain elements to secure some of a state's sovereignty, while also proving that the human rights violations are of the utmost importance.

## Multilateralism

In order for a state's case to constitute a case for Responsibility to Protect, the state must support multilateral engagement and agree that the United Nations Security Council has the only authority to authorize the use of force.<sup>344</sup> All of the resolutions and conversations analyzed had to be passed up to the United Nations Security Council by states and voted on by the United Nations Security Council before intervention should take place.

This benchmark demonstrates a division between humanitarian intervention and the Responsibility to Protect. The Russian Federation requested that the United Nations Security Council discuss the illegality of the use of unilateral force of NATO.<sup>345</sup> The Russian Federation also accused that representatives did not bring the decision of NATO unilateral force to the United Nations Security Council because they hypothesized that one or more of the Permanent Members would veto the action.<sup>346</sup> China continued this sentiment by arguing that Kosovo was an internal problem and that other states needed to respect the sovereignty of the Federal

<sup>343</sup> "The Crisis in Syria ". *International Coalition for the Responsibility to Protect* <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-syria>.

<sup>344</sup> "United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations. Accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

<sup>345</sup> *3988th Meeting*. Security Council (United Nations, 1999). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 2.

<sup>346</sup> *988th Meeting*. Security Council (United Nations, 1999). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 2-3 and 13.

Republic of Yugoslavia.<sup>347</sup> India condemned the unilateral force arguing that no entity should be allowed to intervene unilaterally without the appropriate permission by the United Nations Security Council.<sup>348</sup> Namibia agreed that military action was not the proper way to end the violence because it could lead to more serious concerns in the area.<sup>349</sup> The United Kingdom, France, and the United States attempted to justify their actions by claiming that they needed to avoid a “humanitarian catastrophe” and that they had tried for a year to end the violence.<sup>350</sup> Brazil remained in the middle of the argument, urging the international community to not use force and end the conflict peacefully.<sup>351</sup>

<sup>347</sup> *988th Meeting*. Security Council (United Nations, 1999). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 12-13.

<sup>348</sup> *Ibid.* p. 15-16.

<sup>349</sup> *Ibid.* p. 10-11.

<sup>350</sup> *Ibid.* p. 8-9 and 11-12.

<sup>351</sup> *Ibid.* p. 8.

## **Chapter 3- Russian intervention in Crimea and the Question of Responsibility to Protect**

### **Background**

#### **Initial Unrest Throughout Ukraine**

The Crisis in Kyiv began when Mykola Azarov, the Ukrainian Prime Minister, stopped negotiations between the European Union and the Ukrainian President, Viktor Yanukovych, concerning the Deep and Comprehensive Free Trade Agreement (DCFTA) and the Association Agreement (AA) which were ongoing throughout November 2013.<sup>352</sup> The spokesman for the Kremlin, Dmitry Peskov, responded favorably to the failure of the agreement claiming that Ukraine had the right to decide with whom it would trade. Both the United States and the European Union were shocked by the decision.<sup>353</sup> The United States Department of State, the Swedish Foreign Minister, and the European Union High Representative made it known that this decision saddened the European Union and they were fearful of the control that the Russian Federation still had over Ukraine.<sup>354</sup>

On December 1, 2013, protests broke out in Kyiv. Over a thousand people were present to demonstrate the Ukrainian people's reaction to the end of the agreements.<sup>355</sup> Blockades were positioned in front of governmental buildings as protesters demanded that President Yanukovych resign.<sup>356</sup> Berkut soldiers, the special police force in the Ukrainian Ministry of Internal Affairs, attempted to stop the protests, but their action only led to an increase in the violence on both

<sup>352</sup> "Crisis in Kyiv: November 2013-February 2014." November 22. Center for Strategic & International Studies April 5 2013. The Ukraine Crisis Timeline <http://ukraine.csis.org/kyiv.htm#0>.

<sup>353</sup> "International Reaction to Ukraine's About-Face ". November 22. Center for Strategic & International Studies April 10 2013. Timeline <http://ukraine.csis.org/kyiv.htm#2>.

<sup>354</sup> *Ibid.*

<sup>355</sup> "Thousand Protest Yanukovych Government in Independence Square." December 1. Center for Strategic & International Studies April 5 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#3>.

<sup>356</sup> *Ibid.*

sides.<sup>357</sup> Well-known people that opposed the government, such as Vitaly Klitschko, demanded that the government needed to respect the voice of the people.<sup>358</sup> On the same day, President Yanukovich conducted a television interview to discuss the violence; commenting only that the people needed to respect the ordinances of Ukraine.<sup>359</sup> These protests would later be used by the Russian Federation as examples of Ukraine's inability to protect its population and of mass human rights violations.<sup>360</sup>

On December 16, 2013, the Russian President, Vladimir Putin, and President Yanukovich signed an agreement stating that the Russian Federation would provide Ukraine with \$15 billion in loans.<sup>361</sup> Additionally, Ukraine was to receive a discount of 33 percent on "gas imports."<sup>362</sup>

On January 16, 2014, the Ukrainian government passed "reforms" establishing penalties for protesters, such as fines and imprisonment for gathering, spreading "extremist information", and wearing materials that covered their faces.<sup>363</sup> The Ukrainian Ambassador to the European Union and the United States Department of State admitted to being apprehensive with regard to the "reforms".<sup>364</sup>

On February 16, 2014, protesters gave up their control the Kiev city hall to the Organization for Security and Co-operation in Europe (OSCE) in order for the Ukrainian

<sup>357</sup> *Berkut Quick Response Force* (GlobalSecurity.org).

<https://www.globalsecurity.org/intell/world/ukraine/berkut.htm>.;"Thousand Protest Yanukovich Government in Independence Square." December 1. Center for Strategic & International Studies April 5 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#3>.

<sup>358</sup> *Ibid.*

<sup>359</sup> "Ukrainian Government Responds to Protests." December 1. Center for Strategic & International Studies 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#4>.

<sup>360</sup> *Ibid.*

<sup>361</sup> "Russia to Extend Financial Lifeline to Ukraine ". December 16. Center for Strategic & International Studies April 5 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#5>.

<sup>362</sup> *Ibid.*

<sup>363</sup> "Rada Passes Harsh Anti-Protest Legislation ". January 16. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#6>.

<sup>364</sup> *Ibid.*

government to resume possession of the building.<sup>365</sup> The Ukrainian police, who had previously surrounded the building, allowed the protesters to leave in peace.<sup>366</sup> Throughout the protests, six people were killed in struggles with the police.<sup>367</sup> An “amnesty deal” was agreed upon between the Ukrainian government requiring protesters to relinquish possession of government buildings and forgiving those protesters who had broken the law between the dates of “December 2-February 2” to be forgiven.<sup>368</sup>

The Euromaidan protests experienced its deadliest days between February 18 and February 20 when protesters stormed the Rada.<sup>369</sup> Eighty-eight individuals were killed and more than a hundred were wounded as police and protesters fought during the demonstrations.<sup>370</sup> These protests were sparked by rumors that Ukraine was going to reinstate its constitution from 2004.<sup>371</sup> The Ukrainian government warned the protesters that they would begin to use real ammunition against them if the violence and demonstrations did not end.<sup>372</sup> Both the protesters and the police had claimed that real ammunition was being used against them.<sup>373</sup> In response, the European Union and the United States urged President Yanukovich to stop the violence and threatened to institute sanctions.<sup>374</sup> Vladimir Putin also urged the Ukrainian government to end the violence, but placed the blame on terrorism and extremism instead of the government.<sup>375</sup>

The tension and resulting violence increased on February 21. President Yanukovich and the opposing forces signed a compromise agreement that ensured that the election for the

<sup>365</sup> "Opposition Vacates Occupied Buildings, Unblocks City Streets ". February 16. Center for Strategic & International Studies April 5 2014. Timeline <http://ukraine.csis.org/kyiv.htm#7>.

<sup>366</sup> *Ibid.*

<sup>367</sup> *Ibid.*

<sup>368</sup> *Ibid.*

<sup>369</sup> *Ibid.*

<sup>370</sup> *Ibid.*

<sup>371</sup> *Ibid.*

<sup>372</sup> *Ibid.*

<sup>373</sup> *Ibid.*

<sup>374</sup> *Ibid.*

<sup>375</sup> *Ibid.*

president would be accomplished sooner than previously planned, “a national unity government” would be established, and the 2004 constitution would be reinstated.<sup>376</sup> These negotiations were overseen by Poland, France, Germany, and Russia. All parties signed the agreement except for Russia.<sup>377</sup> Additionally, laws were passed to provide aid to the families of protesters that had been killed, provide forgiveness to protesters that had violated the laws, and to release Yulia Tymoshenko.<sup>378</sup> After the agreement was signed, President Yanukovich left Kyiv.<sup>379</sup> Barack Obama, the United States President, and Vladimir Putin agreed that these laws and agreements needed to be implemented quickly in order to provide stability to Ukraine.<sup>380</sup>

On February 23, President Yanukovich was replaced by interim President Oleksander Turchynov after the impeachment of Yanukovich<sup>381</sup> Even so, Odessa became overrun with protests.<sup>382</sup> In response, John Kerry, the United States Secretary of State, announced his support for new Ukrainian prime minister and president.<sup>383</sup> Additionally, he stated that he hoped the Russian Federation would respect Ukraine’s sovereignty.<sup>384</sup> German Chancellor, Angela Merkel, and Vladimir Putin agreed that it was their mutual best interest for the violence in Ukraine to end.<sup>385</sup> Russia also held \$2 billion of the previously agreed upon loans until the new changes in the government were fully implemented.<sup>386</sup>

<sup>376</sup> "Yanukovich Opposition Sign Settlement Agreement ". February 21. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#9>.

<sup>377</sup> *Ibid.*

<sup>378</sup> *Ibid.*

<sup>379</sup> "Yanukovich Reportedly Flees Kyiv, Tensions Remain." February 21. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#10>.

<sup>380</sup> *Ibid.*

<sup>381</sup> "Yanukovich Impeached, Oleksander Turchynov in as Interim President ". February 23. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#11>.

<sup>382</sup> *Ibid.*

<sup>383</sup> Washington Warns Moscow on Ukraine as Russia Withdraws Ambassador, Delays Assistance." February 23. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#12>.

<sup>384</sup> *Ibid.*

<sup>385</sup> *Ibid.*

<sup>386</sup> *Ibid.*

## Events in Crimea

On February 25, 2014, Alexei Chaliy was named mayor of Kiev.<sup>387</sup> At the same time, protesters swarmed the council building in Sevastopol and, the head of the police department in Sevastopol, Alexander Goncharov, stated that he would not follow the laws adopted by the government in Kiev.<sup>388</sup>

On February 27, 2014, Vladimir Konstantinov, the Parliament spokesman for Crimea, stated that Crimea would hold a referendum to increasing its autonomy within Ukraine and ensuring all that Crimea had no intention of seceding from Ukraine.<sup>389</sup> He wanted to ensure that the new government in Kiev would respect Crimea.<sup>390</sup> A demonstration ensued showing support for closer ties with the Russian Federation. Some citizens even claimed that they wanted Putin to be their president.<sup>391</sup>

On February 28, 2014, hundreds of “little green men” outfitted in military gear established a presence at airports in Sevastopol and Simferopol and communications companies.<sup>392</sup> Russia claimed that these troops were not Russian, but Ukraine was ultimately notified that Russia had sent troops to Sevastopol to protect its naval fleet.<sup>393</sup> At the same time, Russia told Ukraine that it would not become involved in discussions concerning a solution to the events in Crimea. Vitaly Churkin, the Russian Ambassador to the United Nations told the United Nations that Russia would respect international law.<sup>394</sup> Additionally, Konstantinov told

<sup>387</sup> Pro-Russian Chaly Appointed Mayor of Sevastopol Amid Tensions." February 25. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#1>.

<sup>388</sup> *Ibid.*

<sup>389</sup> "Crimean Parliament Sets Referendum as Ukrainian Government Vows to Prevent Break-Up." February 27. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#2>.

<sup>390</sup> *Ibid.*

<sup>391</sup> *Ibid.*

<sup>392</sup> "Russian Forces Occupy Strategic Facilities in Crimea ". February 28. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#3>.

<sup>393</sup> *Ibid.*

<sup>394</sup> *Ibid.*

the government in Kiev that he was not aware that Russian troops were in Crimea.<sup>395</sup> When talks were began in Paris, Sergey Lavrov, the Russian Federation's Foreign Minister, would not recognize the Foreign Minister from Ukraine, Andriy Deshchysia.<sup>396</sup>

On March 6, the Crimean Parliament voted to have the Crimean peninsula separate from Ukraine.<sup>397</sup> Crimea requested that the Russian Federation establish the Crimean peninsula as part of Russia.<sup>398</sup> Political institutions in Crimea separated from Kyiv and the Crimean Tatars began to "boycott" the vote.<sup>399</sup> Sergey Aksyonov, the Prime Minister of Crimea, would not speak with Kyiv.<sup>400</sup> Radio and television stations in Crimea were replaced by Russian stations in Simferopol.<sup>401</sup> Ukrainian naval ships were now being blocked by Russian Federation ships.<sup>402</sup> In response, the interim Prime Minister for Ukraine, Arseniy Yatsenyuk, said that Kyiv would not recognize the referendum.<sup>403</sup> Interim President Turchynov agreed with this sentiment and ordered the Rada to disband the parliament in Crimea and blamed Russia for the interference in Ukrainian affairs.<sup>404</sup> The Russian Federation's State Duma made preparations for Crimea to join Russia and praised this as a way for Crimean citizens to determine their own representation and government.<sup>405</sup> In response, the United States, under President Obama, placed sanctions on

<sup>395</sup> "Russian Forces Occupy Strategic Facilities in Crimea ". February 28. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#3>.

<sup>396</sup> *Ibid.*

<sup>397</sup> Crimean Parliament Votes to Secede from Ukraine, Join Russia." March 6. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#6>.

<sup>398</sup> *Ibid.*

<sup>399</sup> Crimean Parliament Votes to Secede from Ukraine, Join Russia." March 6. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#6>.

<sup>400</sup> *Ibid.*

<sup>401</sup> *Ibid.*

<sup>402</sup> *Ibid.*

<sup>403</sup> *Ibid.*

<sup>404</sup> "Ukrainian Government in Kyiv, Russia React to Crimea Vote." March 6. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#7>.

<sup>405</sup> *Ibid.*

Russia and claimed that the referendum was not in accordance with “international law.”<sup>406</sup> The European Union then decided to initiate a “three-phased sanctions plan” ensuring that the Russian economy would suffer after the sanctions were implemented.<sup>407</sup> Additionally, the United States provided Ukraine with loans of \$1 billion.<sup>408</sup>

The United States, the United Kingdom, France, and Italy referred to this as a violation of Ukraine’s sovereignty.<sup>409</sup> The Czech Republic, Hungary, Poland, and Slovakia asked the United States to increase their natural gas presence throughout the region in order to decrease Russian influence.<sup>410</sup> Furthermore, according to a United Nations Meetings Release, a resolution was enacted requiring that Russia remove itself from Ukraine and leave Crimea. This United Nations Meetings Release cited the use of military force by the Russian Federation as the primary reason supporting this decision.<sup>411</sup> Even though Vladimir Putin had claimed that the Russian Federation had not exceeded the agreed upon 25,000 troop military presence in Crimea, the United Nations found evidence that this was a lie. The United Nations noted that Russia “seiz[ing] three Ukrainian vessels on 25 November”<sup>412</sup> and in resolution L.47, it states that there is evidence of Russian militarization in Crimea.<sup>413</sup> According to the meeting release, a Russian representative

<sup>406</sup> "US, EU Prepare Sanctions against Russia." March 6. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#8>.

<sup>407</sup> *Ibid.*

<sup>408</sup> *Ibid.*

<sup>409</sup> "Kerry: Annexation Would Close Door on Diplomacy ". March 8. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#11>.

<sup>410</sup> *Ibid.*

<sup>411</sup> "General Assembly Adopts Resolution Urging Russian Federation to Withdraw Its Armed Forces from Crimea, Expressing Grave Concern About Rising Military Presence." *United Nations General Assembly* December 17 2018, <https://www.un.org/press/en/2018/ga12108.doc.htm>.

<sup>412</sup> *Ibid.*

<sup>413</sup> *Ibid.*

stated that, because the United States was sending weapons to Ukraine and, because of the violence in Ukraine, this forced the Russian Federation to act militarily.<sup>414</sup>

On March 8, the Russian Federation claimed that, due to the increased threats of NATO and the United States, it may be forced to reconsider the START Treaty.<sup>415</sup> During conversations with Angela Merkel and David Cameron, the Prime Minister of the United Kingdom, Putin stated once again that the situation in Crimea was in accordance with “the norms of international law.”<sup>416</sup> Both Merkel and Cameron disagreed. Violence broke out when, on March 9, 2014, Pro-Russian supporters attacked pro-Ukrainian supporters in Sevastopol.

On March 11, Crimea announced it was no longer part of Ukraine.<sup>417</sup> The Russian Federation compared this to Kosovo and Serbia.<sup>418</sup> The United States approved Resolution 402-7 in order to emphasize that Russia’s action in Crimea was illegitimate and that the Russian military must leave the area.<sup>419</sup> The European Parliament and the G-7 also agreed that the referendum was illegal.<sup>420</sup>

On March 13, the Russian Federation stated that the military exercises occurring around the eastern border of Ukraine would end in late-March.<sup>421</sup>

In the United Nations, the interim Ukrainian Prime Minister, Arseniy Yatsenyuk, asked that Russia decrease its presence in Crimea and stated that Ukraine was open to negotiate with

<sup>414</sup> "General Assembly Adopts Resolution Urging Russian Federation to Withdraw Its Armed Forces from Crimea, Expressing Grave Concern About Rising Military Presence." *United Nations General Assembly* December 17 2018, <https://www.un.org/press/en/2018/ga12108.doc.htm>.

<sup>415</sup> Russia Considering End to START Inspections ". March 8. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#12>.

<sup>416</sup> *Ibid.*

<sup>417</sup> "Crimea Parliament Declares Independence ". March 11. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#15>.

<sup>418</sup> *Ibid.*

<sup>419</sup> U.S. House Approves Resolution Condemning Russia 402-7." March 11 .Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#16>.

<sup>420</sup> "President Obama Met with Pm Yatenyuk." March 12. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#17>.

<sup>421</sup> "One Protestor Dead after Clashes in Donetsk." March 13. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#18>.

Russia to put an end to the violence.<sup>422</sup> Churkin responded that the referendum in Crimea had the backing of the Russian Federation.<sup>423</sup> Attempted conversations between John Kerry, the United States Secretary of State and Sergei Lavrov, the Russian Federation Foreign Minister, resulted in no meaningful progress.<sup>424</sup> Ivan Šimonovic, the United Nations Assistant Secretary-General, sent a team to monitor the crisis.<sup>425</sup> Before the referendum in Crimea, the United Nations Security Council released draft resolution S/2014/189 which denounces the referendum and annexation of Crimea.<sup>426</sup> However, the draft resolution was vetoed by the Russian Federation.<sup>427</sup> When asked why Russia vetoed the resolution, Churkin stated that Crimea was made to be Ukrainian illegally after the Soviet Union failed.<sup>428</sup> The French and American Ambassadors to the United Nations maintained that the veto represented an illegal move by the Russian Federation.<sup>429</sup>

On March 16, the referendum in Crimea decided that Crimea would be annexed by the Russian Federation.<sup>430</sup> The Russian Federation believed that its reasons and procedures were proper however, the international community did not condone the state's behavior, stating that

<sup>422</sup> "Interim Ukrainian Pm at United Nations." March 13. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#19>.

<sup>423</sup> *Ibid.*

<sup>424</sup> "Kerry-Lavrov Talks End in Stalemate." March 14. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#20>.

<sup>425</sup> "UN Send Human Rights Monitors to Assess Situation in Ukraine." March 14. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#21>.

<sup>426</sup> *S/2014/189 Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: Draft Resolution.* United Nations Security Council (United Nations Security Council, March 15 2014). [http://www.securitycouncilreport.org/atf/cf/%7b65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/s\\_2014\\_189.pdf](http://www.securitycouncilreport.org/atf/cf/%7b65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/s_2014_189.pdf). p. 2.

<sup>427</sup> "UN Documents for Ukraine" Security Council Report accessed February 1 2020 <https://www.securitycouncilreport.org/un-documents/ukraine/>.

<sup>428</sup> "Russia Vetoes U.N. Resolution on Ukraine." March 15. Center for Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#23>.

<sup>429</sup> *Ibid.*

<sup>430</sup> "Crimea Votes to Join Russia." March 16. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#26>.

there was evidence that the Kremlin's referendum numbers were incorrect.<sup>431</sup> The Russian Federation claimed that the annexation of Crimea was, indeed, up to the standard of the international community. However, a report was published that this was actually illegal because there were only two options on the ballot. There was no option available for Crimean residents to vote to remain in their current situation.<sup>432</sup> Crimean Tatars were also not given booths in which to vote resulting in a violation of their rights.<sup>433</sup>

In response to the referendum, the Presidents of the United States, European Council, European Commission, and the European Union stated that the referendum was illegal.<sup>434</sup> Additionally in a "Resolution adopted by the United Nations General Assembly on 27 March 2014 68/262 Territorial integrity of Ukraine", the General Assembly also condemned the referendum and annexation.<sup>435</sup> On March 18, 2014, after the annexation of Crimea, the President of the Russian Federation, Vladimir Putin addressed the Russian government in order to explain and justify the Russian Federation's actions in Crimea.<sup>436</sup>

On September 8, 2014, the representative of Ukraine participated in an informal dialogue with the United Nations General Assembly to discuss the Responsibility to Protect's application

<sup>431</sup> Gregory, P.R. *Forbes* May 5, 2014, <https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>.

<sup>432</sup> Bilych, Ivanna et al., "The Crisis in Ukraine: Its Legal Dimensions ". *Razom*, April 14 2014 <https://www.razomforukraine.org/wp-content/uploads/2016/05/The-Crisis-in-Ukraine-Its-Legal-Dimensions.pdf>. p. 21-22.

<sup>433</sup> *Ibid.* p. 22.

<sup>434</sup> "International Reaction to the Referendum in Crimea ". March 16. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#28>.

<sup>435</sup> *A/Res/68/262 Resolution Adopted by the General Assembly on 27 March 2014 68/262. Territorial Integrity of Ukraine* United Nations General Assembly (United Nations General Assembly, April 1 2014). [https://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a\\_res\\_68\\_262.pdf](https://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a_res_68_262.pdf). p. 1-2.

<sup>436</sup> "Address by President of the Russian Federation." news release. March 18, 2014, <http://en.kremlin.ru/events/president/news/20603>.

to Crimea.<sup>437</sup> The representative of Ukraine urged the General Assembly to ensure that Responsibility to Protect does not erode sovereignty.<sup>438</sup> Due to the claims, as put forth by Russia, the representative of Ukraine emphasized that Russia's use of Responsibility to Protect was "artificial", particularly when "the UN Monitoring Mission" had previously confirmed that the Russian allegations of gross human rights violations were false.<sup>439</sup>

### The Russian Case for Responsibility to Protect

Russia's case for R2P in Crimea centers on the attacks of ethnic Russians, self-determination, and the similarities between Kosovo and Crimea.

The Russian Federation listed numerous human rights violations in "White Book on Violations of Human Rights and Rule of Law in Ukraine" (November 2013-March 2014).<sup>440</sup> Specifically, the Russian Federation focuses on the events of Euromaidan and discrimination against Russian-speakers. In particular, the "White Book" mentions that Ukrainians in southeastern Ukraine are discriminatory toward those that speak Russian. The "White Book" states, "..., affairs are being conducted Euromaidan-style- through the use of threats, intimidation, physical violence, and heinous attempts to obliterate Russian culture and identity among inhabitants of these regions in Ukraine".<sup>441</sup>

<sup>437</sup> *Intervention by the Representative of Ukraine at the Informal, Interactive Dialogue of the General Assembly on the Responsibility of States to Protect Their Population by Preventing Genocide, War Crimes, Ethnic Cleansing and Crimes against Humanity through Appropriate and Necessary Means* United Nations General Assembly (New York September 8 2014 ). <http://www.responsibilitytoprotect.org/Ukraine.pdf>.

<sup>438</sup>*Ibid*

<sup>439</sup>*Ibid*.

<sup>440</sup> *White Book on Violations of Human Rights and the Rule of Law in Ukraine* Ministry of Foreign Affairs of the Russian Federation (Moscow Ministry of Foreign Affairs of the Russian Federation, April 2014). [https://www.globalsecurity.org/military/library/report/2014/ukraine-rights-whitebook\\_russia-mofa201405.pdf](https://www.globalsecurity.org/military/library/report/2014/ukraine-rights-whitebook_russia-mofa201405.pdf).

<sup>441</sup>*Ibid*. p. 63.

In response to these allegations, two missions were conducted to Crimea by ASG Ivan Šimonovic on March 6-18, 2014 and March 21-22, 2014.<sup>442</sup> His report found that the most pressing issue in Ukraine was corruption.<sup>443</sup> Additionally, more human rights violations were detailed from the Euromaidan protests including: “Violations of the right to freedom of assembly; excessive use of force, killings, disappearances, torture, and ill treatment”.<sup>444</sup> Finally, the investigator described the extent of human rights violations in Crimea.<sup>445</sup> With regard to the accusations that Russian-speakers were being discriminated against, as well as, being subjected to violence, the report found no evidence in support of these claims.<sup>446</sup> The investigator deemed that threats were not directed to “Russian-speakers”; specifically, Crimean Tatars did experience “discrimination and violence”.<sup>447</sup> According to the investigator, the “photographs of the Maidan protests” were used as misinformation and a tool to overdramatize the tension between “ethnic Russians” and “Ukrainian nationalist extremists”.<sup>448</sup>

In the “Report of the Special Rapporteur on Minority Issues”, Rita Izsák, the investigator, presented an analysis of minority rights in Ukraine and particularly in Crimea from a mission to Ukraine between April 7 and 14, 2014.<sup>449</sup> With regard to the claims of conflicts between extreme Ukrainian nationalists, she states, “the presence and activities of far-right, ultranationalist ‘self-defense’ groups and unidentified illegal armed actors have created anxiety” but that they were

<sup>442</sup> *Report on the Human Rights Situation in Ukraine* Office of the United Nations High Commissioner for Human Rights (Office of the United Nations High Commissioner for Human Rights, April 15 2014). <https://korea.mfa.gov.ua/en/news/21972-ohchr-report-on-the-human-rights-situation-in-ukraine>. p. 9-10.

<sup>443</sup> *Ibid.* p. 10.

<sup>444</sup> *Ibid.* p. 12-15.

<sup>445</sup> *Report on the Human Rights Situation in Ukraine* Office of the United Nations High Commissioner for Human Rights (Office of the United Nations High Commissioner for Human Rights, April 15 2014). <https://korea.mfa.gov.ua/en/news/21972-ohchr-report-on-the-human-rights-situation-in-ukraine>. p. 20-22.

<sup>446</sup> *Ibid.* p. 21.

<sup>447</sup> *Ibid.* p. 21.

<sup>448</sup> *Ibid.* p. 21-22.

<sup>449</sup> *A/HRC/28/64/Add.1- Report of the Special Rapporteur on Minority Issues, Rita Izsák.* (January 27 2015). [http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a\\_hrc\\_28\\_64\\_add\\_1.pdf](http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a_hrc_28_64_add_1.pdf).

not linked to any majority or minority in Ukraine.<sup>450</sup> Some of the citizens, who were interviewed, reported that there were economic problems and “political instability”.<sup>451</sup> The investigator also found that there was not an overall general feeling against Russians and Russian-speakers prior to Euromaidan.<sup>452</sup> However, Russian-speakers feel anxiety toward the Russian language’s place in society, culture, and education, particularly with the attempt to pass the 2012 language law.<sup>453</sup>

In response to these reports, Alexander Lukashevich, the Russian Federation’s Foreign Ministry Spokesman, stated that the Office of the United Nations High Commissioner for Human Rights report was “unilateral, politicized and does not reflect the real situation in this country.”<sup>454</sup> Overall, Lukashevich claimed that the report was not correct and that the writers ignored much of the evidence and that they concluded, incorrectly, that Russia should not have gone into Ukraine.<sup>455</sup> On June 18, 2014, Alexander Lukashevich, the Minister of Foreign Affairs, reacted to another report on Ukraine.<sup>456</sup> He claimed that the report, published by the United Nations Observation Mission for Human Rights in Ukraine, did not change the opinion that had already been stated in May and that “the unilateral and politically motivated interpretation of events” continued.<sup>457</sup>

<sup>450</sup> *A/HRC/28/64/Add.1- Report of the Special Rapporteur on Minority Issues, Rita Izsák.* (January 27 2015). [http://www.securitycouncilreport.org/atf/cf/%7b65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a\\_hrc\\_28\\_64\\_add\\_1.pdf](http://www.securitycouncilreport.org/atf/cf/%7b65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a_hrc_28_64_add_1.pdf). p. 5.

<sup>451</sup> *Ibid.* p. 5.

<sup>452</sup> *Ibid.* p. 5-10.

<sup>453</sup> *Ibid.* p. 35-43.

<sup>454</sup> Lukashevich, Alexander. "Comment by the Official Representative of the Ministry of Foreign Affairs of Russia, Alexander Lukashevich, Regarding the Publication of the Report by the Office of the United Nations High Commissioner for Human Rights on the Situation in Ukraine " news release, April 15, 2014, [https://www.mid.ru/en/foreign\\_policy/humanitarian\\_cooperation/-/asset\\_publisher/bB3NYd16mBFC/content/id/65478](https://www.mid.ru/en/foreign_policy/humanitarian_cooperation/-/asset_publisher/bB3NYd16mBFC/content/id/65478).

<sup>455</sup> *Ibid.*

<sup>456</sup> "Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs Regarding the Adoption of the Resolution of the 26th Session of the United Nations Human Rights Council “Cooperation and Assistance to Ukraine in the Field of Human Rights”." news release., June 28, 2014, [https://www.mid.ru/en/foreign\\_policy/humanitarian\\_cooperation/-/asset\\_publisher/bB3NYd16mBFC/content/id/53774](https://www.mid.ru/en/foreign_policy/humanitarian_cooperation/-/asset_publisher/bB3NYd16mBFC/content/id/53774).

<sup>457</sup> "Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs Regarding the Adoption of the Resolution of the 26th Session of the United Nations Human Rights Council “Cooperation

The Russian Federation maintained that they had the right to intervene in Crimea as defined by self-determination.<sup>458</sup> The Russian Federation supported these claims by indicating that requested the aid of the Russian Federation.<sup>459</sup> Putin continued to claim that Crimean residents asked for Russia's aid, and that 96% of Crimea was in favor of reuniting with the Russian Federation with an 83% voter turnout.<sup>460</sup> By contrast, the President's Human Rights Council posted a report, which was quickly taken down, regarding the results of the Crimean referendum.<sup>461</sup> This report claimed that the turnout was estimated to be only "30%-50%".<sup>462</sup> With this taken into account, the number of Crimean residents in favor of reuniting with Russia was only 15%.<sup>463</sup> However, a release from Putin's Human Rights Council indicated that voter

and Assistance to Ukraine in the Field of Human Rights". news release., June 28, 2014, [https://www.mid.ru/en/foreign\\_policy/humanitarian\\_cooperation/-/asset\\_publisher/bB3NYd16mBFC/content/id/53774](https://www.mid.ru/en/foreign_policy/humanitarian_cooperation/-/asset_publisher/bB3NYd16mBFC/content/id/53774).

<sup>458</sup> *7138th Meeting* Security Council (United Nations, March 15 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7138.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7138.pdf), p. 2.

<sup>459</sup> Crimean Parliament Votes to Secede from Ukraine, Join Russia." March 6. Center for Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#6>.

<sup>460</sup> "Address by President of the Russian Federation." news release. March 18, 2014, <http://en.kremlin.ru/events/president/news/20603>.

<sup>461</sup> Gregory, P.R. *Forbes* May 5, 2014, <https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>.

<sup>462</sup> Gregory, P.R. *Forbes* May 5, 2014, <https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>.; Александрович, Е., "Проблемы Жителей Крыма." *Совет при Президенте Российской Федерации по развитию гражданского общества и правам человека*, April 22 2014, [http://president-sovet.ru/members/blogs/bobrov\\_e\\_a/problemy-zhiteley-kryma/](http://president-sovet.ru/members/blogs/bobrov_e_a/problemy-zhiteley-kryma/).

<sup>463</sup> Gregory, P.R. *Forbes* May 5, 2014, <https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>.; Александрович, Е., "Проблемы Жителей Крыма." *Совет при Президенте Российской Федерации по развитию гражданского общества и правам человека*, April 22 2014, [http://president-sovet.ru/members/blogs/bobrov\\_e\\_a/problemy-zhiteley-kryma/](http://president-sovet.ru/members/blogs/bobrov_e_a/problemy-zhiteley-kryma/).

turnout was estimated at “30%-50%”.<sup>464</sup> Using these numbers, those Crimean residents in favor of reuniting with Russia were only 15%.<sup>465</sup>

The International Republican Institute conducted a survey over March 15 and 16, 2014 and asked the question, “In your opinion, a referendum in Crimea on joining Russia is...?” to determine how the respondents viewed the actions of the Russian Federation. 68% responded with “An attempt to break Ukraine into several parts and threat to its independence”.<sup>466</sup> When the same question was examined by region, the South responded with 48% of the same response.<sup>467</sup>

The International Republican Institute also asked, “In your opinion, what should be the status of Crimea?” to determine how the respondents felt about Russia annexing Crimea. The South responded with 31% “Should become part of Russia” and 42% responded “Autonomous republic within Ukraine”.<sup>468</sup> This indicates that, after the annexation, the majority of citizens throughout that region did not support annexation.

The Russian Federation has additionally argued that the case for Crimea is similar to the case of Kosovo. Putin claimed that, even though the international community claims that this is a breach of a norm, it is “better late than never”.<sup>469</sup> He discussed the Kosovo precedent and claimed that this was another unilateral tool used to support independence, but that the West

<sup>464</sup> Gregory, P.R. *Forbes* May 5, 2014, <https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>; Александрович, Е., "Проблемы Жителей Крыма." *Совет при Президенте Российской Федерации по развитию гражданского общества и правам человека*, April 22 2014, [http://president-sovet.ru/members/blogs/bobrov\\_e\\_a/problemey-zhiteley-kryma/](http://president-sovet.ru/members/blogs/bobrov_e_a/problemey-zhiteley-kryma/).

<sup>465</sup> Gregory, P.R. *Forbes* May 5, 2014, <https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>; Александрович, Е., "Проблемы Жителей Крыма." *Совет при Президенте Российской Федерации по развитию гражданского общества и правам человека*, April 22 2014, [http://president-sovet.ru/members/blogs/bobrov\\_e\\_a/problemey-zhiteley-kryma/](http://president-sovet.ru/members/blogs/bobrov_e_a/problemey-zhiteley-kryma/).

<sup>466</sup> "Public Opinion Survey of Ukraine March 14-26, 2014 ". *International Republican Institute* March 14-16, 2014, <https://www.iri.org/sites/default/files/2014%20April%205%20IRI%20Public%20Opinion%20Survey%20of%20Ukraine%2C%20March%2014-26%2C%202014.pdf>. p. 22.

<sup>467</sup> *Ibid.* p. 22.

<sup>468</sup> *Ibid.* p. 25.

<sup>469</sup> "Address by President of the Russian Federation." news release. March 18, 2014, <http://en.kremlin.ru/events/president/news/20603>.

continues to focus on the number of casualties to justify their actions in Kosovo while condemning the Russian Federation's actions in Crimea.<sup>470</sup> According to Putin, there were no casualties in the annexation of Crimea.<sup>471</sup>

The Russian Federation continued to endorse these arguments in the United Nations Security Council. On March 15, 2014, the United Nations Security Council discussed a draft resolution (S/2014/189) to condemn the intervention of Russia in Ukraine.<sup>472</sup> The Russian Federation restated its history with Crimea and insisted that this was an example of self-determination.<sup>473</sup> The draft was voted in favor by the United States, the United Kingdom, France, Argentina, Australia, Chile, Jordan, Lithuania, Luxembourg, Nigeria, Rwanda, Republic of Korea, and Chad. China abstained from voting and Russia vetoed the draft resolution.<sup>474</sup> The United States, France, and the United Kingdom claimed that Russia had made false claims regarding human rights violations in Crimea and had broken established international norms.<sup>475</sup> China noted that there was foreign influence in Ukraine and that the state has always respected territorial integrity and sovereignty.<sup>476</sup>

To further dispute the claims that human rights violations had not occurred, the Russian Federation used evidence that two people had been killed by "fighters" in Kyiv just days prior to

<sup>470</sup> "Address by President of the Russian Federation." news release. March 18, 2014, <http://en.kremlin.ru/events/president/news/20603>.

<sup>471</sup> "General Assembly Adopts Resolution Urging Russian Federation to Withdraw Its Armed Forces from Crimea, Expressing Grave Concern About Rising Military Presence." *United Nations General Assembly* December 17 2018, <https://www.un.org/press/en/2018/ga12108.doc.htm>.; "Address by President of the Russian Federation." news release. March 18, 2014, <http://en.kremlin.ru/events/president/news/20603>.

<sup>472</sup> *7138th Meeting Security Council* (United Nations, March 15 2014). [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7138.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7138.pdf).

<sup>473</sup> *Ibid.* p. 2.

<sup>474</sup> *Ibid.* p. 3.

<sup>475</sup> *Ibid.* p. 3-6.

<sup>476</sup> *Ibid.* p. 7-8.

the meeting and that the violence in Ukraine would continue.<sup>477</sup> The Russian Federation also questioned why the other states rejected the right of Crimea to choose its own form of government.<sup>478</sup>

On March 19, 2014, after hearing a report from ASG Šimonovič regarding the human rights violations in Crimea, the United Nations Security Council met to discuss the legitimacy of the referendum.<sup>479</sup> France questioned the legality of the referendum results and stated that, even though there is a large Russian-language speaking population in Crimea, it does not allow military force and occupation.<sup>480</sup> The United States insisted that Russia had violated the territorial integrity and sovereignty of Ukraine.<sup>481</sup> In addition, the United States claimed that Russia had violated international law and did not respect the United Nations Charter.<sup>482</sup>

Russia demanded that the people of Crimea had the right to self-determination and mentioned the results of the referendum.<sup>483</sup> The Russian representative also noted additional instances where extremists in Kyiv had caused violence<sup>484</sup> and described the violence seen during Euromaidan.<sup>485</sup>

### Russia's Weak Case for Responsibility to Protect

The Russian case toward the Responsibility to Protect (R2P) is minimal at best. In order for a case to be deemed one requiring of R2P, the state must first prove that all verified human

<sup>477</sup> *7138th Meeting Security Council* (United Nations, March 15 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7138.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7138.pdf), p. 7-8.

<sup>478</sup> *Ibid.* p.2.

<sup>479</sup> *7144th Meeting Security Council* (United Nations, March 19 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7144.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7144.pdf).

<sup>480</sup> *Ibid.* p. 7.

<sup>481</sup> *Ibid.* p. 10.

<sup>482</sup> *Ibid.* p. 15.

<sup>483</sup> *Ibid.* p. 8.

<sup>484</sup> *Ibid.* p. 8.

<sup>485</sup> *Ibid.* p. 19.

rights violations need to be handled immediately. Second, the state must also demonstrate that the human rights violations are more important than the state's sovereignty. Lastly, the state must have any use of force authorized by the United Nations Security Council.

In Côte d'Ivoire (2010), the United States claimed that the international community needed to intervene in order to put an end to the violence. The Human Rights Council passed Resolution A/HRC/16/33 allowing an independent team to determine if gross human rights violations had occurred.<sup>486</sup> The international commission investigated Côte d'Ivoire and did, indeed, find evidence of: "extrajudicial executions, arbitrary arrest and detention, and enforced disappearances...".<sup>487</sup> The Human Rights Council also condemned the alleged human rights violations on December 23, 2010.<sup>488</sup>

In Libya (2011), during the meeting to adopt Resolution 1970, the United Kingdom, France, the United States, and Germany maintained that the "systematic violation[s] of human rights" needed to end.<sup>489</sup> The Libyan government attacking its own people against provisions in international law was yet another example of this behavior.<sup>490</sup> To defend Resolution 1973, the United Kingdom, France, South Africa, and the United States argued that these human rights violations constituted war crimes and crimes against humanity. The OHCHR also found

<sup>486</sup> *A/HRC/RES/16/33 Resolution Adopted by the Human Rights Council 16/33 Mandate of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance*. United Nations General Assembly Human Rights Council (United Nations General Assembly Human Rights Council, April 13 2011). <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/128/04/PDF/G1112804.pdf?OpenElement>.

<sup>487</sup> "OHCHR in Côte d'Ivoire (2010-2011) Human Rights Context" United Nations Human Rights Office of the High Commissioner accessed March 23, 2020, <https://www.ohchr.org/EN/Countries/AfricaRegion/Pages/CI2010-2011.aspx>.

<sup>488</sup> "The Crisis in Côte d'Ivoire" International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

<sup>489</sup> *6491st Meeting*. Security Council (United Nations, February 26 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206491.pdf>. p. 3-4 and 6-7.

<sup>490</sup> *Ibid.* p. 3-4.

evidence of “excessive use of force, extrajudicial killings, disappearances, arbitrary arrests, torture, and interferences with freedom of expression, ...”.<sup>491</sup>

Concerning actions taken in Kosovo, the United Nations Security Council passed Resolution 1199 enacting arms embargos against, and condemn the atrocities in Kosovo.<sup>492</sup> The United States asserted that the violations constituted “ethnic cleansing.”<sup>493</sup> France and the United Kingdom condemned the “excessive use of force by the Serbian police”.<sup>494</sup> A focus was placed on the need to avoid humanitarian catastrophe.<sup>495</sup> However, during Costa Rica’s part of the discussion, the state urged for the United Nations Commissioner for Human Rights be given complete access to Kosovo.<sup>496</sup> However, these specific human rights violations were the subject of detailed discussions between the Contact Group and the European Union.<sup>497</sup> This Contact Group attempted to negotiate with both sides in order to develop a solution.<sup>498</sup> NATO supported these actions and also threatened to utilize air strikes should the conflict continue to escalate.<sup>499</sup>

The Russian Federation made a similar argument for “avoiding humanitarian catastrophe” by maintaining that its actions in Crimea were “better late than never” instead of arguing that the human rights violations needed to be dealt with immediately.<sup>500</sup> ASG Šimonovic explained that “chronic human rights violations” were reported and that over 100 people had lost

<sup>491</sup> "OHCHR in Libya ", 2020, <https://www.ohchr.org/EN/Countries/MENAREgion/Pages/LYProgramme.aspx>.

<sup>492</sup> *988th Meeting*. Security Council (United Nations, 1999).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>.

<sup>493</sup> *Ibid.* p. 13.

<sup>494</sup> *Ibid.* p. 4-5 and 12-13.

<sup>495</sup> *Ibid.*

<sup>496</sup> *Ibid.* p. 3-4.

<sup>497</sup> *Ibid.* p. 4.

<sup>498</sup> Historical Overview: NATO’s Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

<sup>499</sup> *Ibid.*

<sup>500</sup> "Address by President of the Russian Federation." news release. March 18, 2014, <http://en.kremlin.ru/events/president/news/20603>.

their lives prior to the investigation.<sup>501</sup> When detailing violence that was still ongoing, there was some evidence that ethnic-Russians were being attacked or harassed, but he deemed that the violations were “neither widespread nor systematic”.<sup>502</sup> Therefore, this does not meet this criteria of R2P.

Additionally, in order for a case to constitute a case for R2P, the state must also demonstrate that the human rights violations are more important than the sovereignty of the state. This was witnessed in the United Nations Security Council discussions addressing Côte d’Ivoire (2010), Libya (2011), and Syria (2011). In Côte d’Ivoire (2010), Resolution 1975 passed unanimously, stating that Côte d’Ivoire had failed its responsibility to protect its population.<sup>503</sup> This resolution also placed sanctions on Gbagbo. While it reaffirmed that there was sovereignty in Côte d’Ivoire, the United Nations Security Council still became involved in the affairs of the state.<sup>504</sup>

In Libya (2011), Resolution 1973<sup>505</sup> led to the Russian Federation, China, Brazil, India, and Germany abstaining from voting because, while they wanted to protect the sovereignty of Libya, the number of human rights violations indicated that action needed to be taken.<sup>506</sup>

Before Syria (2011) was deemed a case of R2P, both China and Russia vetoed draft resolutions (S/2011/612)<sup>507</sup> and (S/2014/348)<sup>508</sup> in order to protect Syria’s sovereignty. Because

<sup>501</sup> *144th Meeting* Security Council (United Nations, March 19 2014). [http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7144.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7144.pdf). p. 4.

<sup>502</sup> *Ibid.* p. 4.

<sup>503</sup> Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in Côte D’Ivoire* International Peace Institute (New York International Peace Institute, June 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf). p. 16.; *Resolution 1975*. Security Council (United Nations, March 30 2011). <http://unscr.com/en/resolutions/doc/1975>.

<sup>504</sup> *Resolution 1975*. Security Council (United Nations, March 30 2011). <http://unscr.com/en/resolutions/doc/1975>.

<sup>505</sup> *Resolution 1973*. Security Council (United Nations, March 17 2011). [https://www.undocs.org/S/RES/1973%20\(2011\)](https://www.undocs.org/S/RES/1973%20(2011)).

<sup>506</sup> *6498th Meeting*. Security Council (United Nations, March 17 2011). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20S%20PV%206498.pdf>.

of this, the crisis in Syria was not deemed a case of R2P until July 2014 with the passage of Resolution 2165.<sup>509</sup>

In Kosovo, NATO determined that the human rights violations were more important than Yugoslavia's sovereignty. During the discussions, the Russian Federation claimed that events in Kosovo did not constitute a threat to regional stability.<sup>510</sup> China claimed that events Yugoslavia were an internal matter that Yugoslavia should have to solve.<sup>511</sup> However, the United Kingdom argued that Kosovo did constitute a threat to regional stability. In addition, the United Kingdom demanded that action be taken in Kosovo in order to end the excessive use of force, terrorism, and violence.<sup>512</sup> The United States claimed Resolution 1199 illustrated that the human rights violations were more important than the sovereignty of Yugoslavia because it demanded that these atrocities be ended in order to avoid a "humanitarian catastrophe."<sup>513</sup>

The Russian Federation made the same argument referenced in the Kosovo case that, if they did not intervene in Crimea, the situation would escalate.<sup>514</sup> For the Russian Federation, the suspected attacks on Russian-speakers, along with the approval of Yanukovich and the Prime Minister of Crimea justified their action resulting in the violation of the sovereignty of Ukraine.

<sup>507</sup> *6627th Meeting*. Security Council (United Nations, October 4 2011).  
<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>.

<sup>508</sup> *7180th Meeting*. Security Council (United Nations, May 22 2014).  
[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7180.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7180.pdf).

<sup>509</sup> "Resolution 2165 (Syria) S/Res/2165." *Global Centre For The Responsibility to Protect* July 14 2014,  
<https://www.globalr2p.org/resources/resolution-2165-syria-s-res-2165/>.

<sup>510</sup> *3868th Meeting* Security Council (New York: United Nations, March 31 1998).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>. p. 10.

<sup>511</sup> *Ibid.* p. 11.

<sup>512</sup> *3988th Meeting*. Security Council (United Nations, 1999).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 11-12.

<sup>513</sup> *Ibid.* p. 4-5.

<sup>514</sup> *7144th Meeting* Security Council (United Nations, March 19 2014).  
[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7144.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7144.pdf). p. 8-10.

The language of the Kosovo the Crimea cases are very similar. Russia also cited that the excessive use of force, terrorism, and violence were justifications for intervention.<sup>515</sup> Therefore, many similarities can be compared from the arguments made by the United States, France, and the United Kingdom's in Kosovo and the arguments made by the Russian Federation in Crimea and in prior R2P cases.

In order for a case to constitute a case for R2P, the state must have the United Nations approval prior to intervention. This is seen in the United Nations Security Council discussions concerning Côte d'Ivoire (2010), Libya (2011), and Syria (2011). The use of a multilateral system was seen in the unanimous adoption of resolution 1970 during Côte d'Ivoire (2010).<sup>516</sup> Additionally, Resolution 1973 in Libya (2011) saw unanimous agreement for the use of force.<sup>517</sup> The failure to adopt draft resolutions (S/2011/612)<sup>518</sup> and (S/2014/348)<sup>519</sup> in Syria (2011) demonstrated how critical it is that approval must be voted on and passed by the United Nations Security Council before any action can be taken. Because these two resolutions were not adopted, no action could be taken.

<sup>515</sup> 3868th Meeting Security Council (New York: United Nations, March 31 1998).

<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>. p. 14-15.; *Report on the Human Rights Situation in Ukraine* Office of the United Nations High Commissioner for Human Rights (Office of the United Nations High Commissioner for Human Rights, April 15 2014). <https://korea.mfa.gov.ua/en/news/21972-ohchr-report-on-the-human-rights-situation-in-ukraine>. 12-15.; 7144th Meeting Security Council (United Nations, March 19 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7144.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7144.pdf). p. 8-10.

<sup>516</sup> *Resolution 1970 (2011)* (United Nations Security Council, February 26 2011).

[https://www.undocs.org/S/RES/1970%20\(2011\)](https://www.undocs.org/S/RES/1970%20(2011)).; "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>517</sup> *Resolution 1973 (2011)* (United Nations Security Council, March 17 2011).

[https://www.undocs.org/S/RES/1973%20\(2011\)](https://www.undocs.org/S/RES/1973%20(2011)).; "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

<sup>518</sup> 6627th Meeting. Security Council (United Nations, October 4 2011).

<https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>.

<sup>519</sup> 7180th Meeting. Security Council (United Nations, May 22 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_pv\\_7180.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_pv_7180.pdf).

This illustrates one of the main differences between humanitarian intervention and R2P. R2P must be multilateral. Humanitarian intervention is commonly unilateral. In the case of Kosovo, Resolution 1199 identified and condemned the human rights violations and then urged for action to be taken in order to avoid a “humanitarian catastrophe.”<sup>520</sup> However during the meeting regarding Resolution 1160, Japan, Costa Rica, France, Slovenia, Portugal, Germany, Italy, Turkey, Poland, Croatia, the United States, and the United Kingdom argued that Kosovo should remain part of Yugoslavia, only with greater autonomy.<sup>521</sup>

In May 1999, the Russian Federation accused NATO countries of not agreeing to the use of force during discussions in the United Nations Security Council because they knew that one or more of the Permanent Members of the Security Council would not approve of the action.<sup>522</sup> The Russian Federation condemned the unilateral use of force by NATO claiming that it was against the United Nations Charter.<sup>523</sup> China defended this same sentiment by arguing that Kosovo was an internal problem and that other states needed to respect the sovereignty of the Federal Republic of Yugoslavia.<sup>524</sup> India condemned the unilateral force arguing that no entity should be allowed to intervene unilaterally without appropriate permission granted to them by the United Nations Security Council.<sup>525</sup> However, the United States, the United Kingdom, and France argued that the actions of NATO were justified in order to end the atrocities.<sup>526</sup> The United Kingdom emphasized that it had tried to achieve an end to the violence with the Contact Group,

<sup>520</sup> *3988th Meeting*. Security Council (United Nations, 1999).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 4-5.

<sup>521</sup> *Ibid.* p. 1-21.

<sup>522</sup> *Ibid.* p. 8-9.

<sup>523</sup> *Ibid.* p. 13.

<sup>524</sup> *Ibid.* p. 12-13.

<sup>525</sup> *Ibid.* p. 15-16.

<sup>526</sup> *Ibid.* p. 4.

the OSCE, and NATO for over a year.<sup>527</sup> Additionally, the United Kingdom maintained that its actions were legal and justified them “as an exceptional measure to prevent a...humanitarian catastrophe”.<sup>528</sup> Also, the supporters of the NATO action concluded that all other methods to solve the violence had failed.<sup>529</sup> Supporters of NATO’s actions continued to reaffirm that Kosovo should remain part of Yugoslavia, but with “a high degree of self-government”.<sup>530</sup> The desire for greater autonomy for Kosovo was also expressed in the statements of the United States, Slovenia, Bahrain, Gambia, and Gabon.

During a meeting concerning the status of Kosovo on February 18, 2008, the Russian Federation deemed the unilateral independence of Kosovo as illegal because the actions did not meet the requirements of the Helsinki Final Act.<sup>531</sup> The Russian Federation also claimed that the Security Council did not authorize the independence of Kosovo.<sup>532</sup> China also condemned these actions by stating that the United Nations Charter protected a state’s territorial integrity and sovereignty.<sup>533</sup> France claimed that this was “a unique situation” due to the dissolution of Yugoslavia and that Serbia did not accept and acknowledge Kosovo’s independence.<sup>534</sup> The United States justified its actions by claiming that the Serbian government took away Kosovo’s autonomy and committed human rights violations against its population<sup>535</sup> with the new Serbian government’s attempt to write out the future of Kosovo by leaving out “90 per cent of the

<sup>527</sup> *3988th Meeting*. Security Council (United Nations, 1999).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>. p. 11.

<sup>528</sup> *Ibid.* p. 12.

<sup>529</sup> *Ibid.* p. 12.

<sup>530</sup> *Ibid.* p. 17.

<sup>531</sup> *5839th Meeting*. Security Council (United Nations, February 18 2008).  
<http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S%20PV%205839.pdf>. p. 6.

<sup>532</sup> *Ibid.* p. 7.

<sup>533</sup> *Ibid.* p. 8.

<sup>534</sup> *Ibid.* p. 21.

<sup>535</sup> *Ibid.* p. 12.

territory's population".<sup>536</sup> Resolution 1244 was passed in an attempt to keep Kosovo a part of Serbia, but, after two years of debate, the idea that a settlement could be achieved no longer seemed possible.<sup>537</sup> The International Court of Justice approved Kosovo's independence prior to Kosovo actually declaring its independence, indicating that the decision was not necessarily unilateral.<sup>538</sup>

The Russian Federation justified its unilateral intervention differently from that of the United States, United Kingdom, and France justification of NATO's actions in Kosovo. Supporters of Kosovo's claim to independence argued that Kosovo was a special case.<sup>539</sup> This because of the breakup of Yugoslavia, the atrocities committed in 1998-1999, the attempt of Kosovo and Serbia to come to an agreement with Resolution 1244, and, after two years, there still being tension.<sup>540</sup> Some points of the argument are quite similar. The former Soviet satellite states also had to determine how they would be governed after the fall of the Soviet Union. Additionally, Ukraine did not accept the referendum by the Russian Federation. In contrast, while ethnic Russians did experience some harassment and attacks, this did not compare to the ethnic-cleansing of the Albanians in Kosovo. The Serbian government and Kosovo attempted to abide by Resolution 1244 for two years but with no substantial progress.<sup>541</sup> The Russian Federation had also refused to discuss the matter with Ukraine on multiple occasions.

<sup>536</sup> *5839th Meeting*. Security Council (United Nations, February 18 2008). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S%20PV%205839.pdf>. p. 13.

<sup>537</sup> *Ibid.* p. 18.

<sup>538</sup> Scheindlin, Dahila and Haki Abazi. *Crimea Is Not Kosovo*. Center for Euro-Atlantic Studies CEAS (Center for Euro-Atlantic Studies - CEAS, April 23 2014). <https://www.ceas-serbia.org/en/external/2451-crimea-is-not-kosovo>.

<sup>539</sup> *5839th Meeting*. Security Council (United Nations, February 18 2008). <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S%20PV%205839.pdf>. p. 21.

<sup>540</sup> *Ibid.* p. 18.

<sup>541</sup> *Ibid.* p. 18.

The Russian Federation's unilateral case of Crimea constitutes R2P only to a minimal extent. The Crimean case does not align with the majority of the criteria. The Russian Federation did not first verify the claims of human rights violations against ethnic Russians prior to making its case for R2P and their intervention was unilateral instead of multilateral. Additionally, the Kosovo and Crimea case are different and cannot be justified as the same situations because of the extent and level of depravity of the human rights violations.

The Russian case for Crimea does demonstrate, however, that, by utilizing the same language and definitions used by the United Kingdom, France, and the United States, a case can be made to support the idea that human rights violations can be emphasized as more important than that of a state's sovereignty.

## **Conclusion**

The Russian unilateral intervention of Crimea does not constitute a case for R2P based on the theoretical framework created in the second chapter. Driven from an analysis of how international actors acted and justified their actions in Côte d'Ivoire (2010), Libya (2011), and Syria (2011), three criteria were found to demonstrate the commonalities of R2P cases. The humanitarian intervention of Kosovo was also analyzed to determine the validity of the Russian Federation's argument that the Crimea and Kosovo situations were alike.

Humanitarian intervention and R2P are not the same. From a political point of view, the term "humanitarian intervention" reminded colonized countries of the horrendous behavior exhibited by imperialist nations.<sup>542</sup> Conceptually, the Responsibility to Protect only considers the differences between the authority of the state and the authority of the international community, instead of making distinctions between specific states, as is done in humanitarian intervention.<sup>543</sup> From a normative standpoint, the Responsibility to Protect reframes sovereignty in the form of the responsibility of the states with a focus on the victims, while humanitarian intervention focuses on the states aiding the other states with a focus on the state.<sup>544</sup> Procedurally, the concept of humanitarian intervention is murky between unilateral intervention and intervention authorized by the United Nations Security Council, while the Responsibility to Protect is based on international law. Operationally, the Responsibility to Protect must protect populations using established criteria.<sup>545</sup> Legally, only the United Nations Security Council has the authority to

<sup>542</sup> Thakur, Ramesh. "The Responsibility to Protect at 15." *International Affairs* 92, no. 2 (2016). <https://doi.org/10.4324/9781351016797-2>. p. 418.

<sup>543</sup> *Ibid.*

<sup>544</sup> *Ibid.*

<sup>545</sup> *Ibid.*

authorize force, making R2P inherently multilateral.<sup>546</sup> This implies that all prior cases of unilateral humanitarian interventions cannot be justified as cases of R2P.

Three criteria were established to demonstrate that a case constitutes a case of R2P. These criteria include: a state must argue that verified human rights violations constitute a case for immediate intervention, a state must deem that the human rights violations are more important than a state's sovereignty, and any intervention must be authorized by the multilateral system of the United Nations Security Council. The requirement that the human rights violations must be verified poses a challenge since the United Nations lacks a definition for what threshold constitutes a human rights violation. Additionally, the United Nations uses a broad term for sovereignty and commonly pairs this term with territorial integrity.

The Permanent Members of the Security Council tend to vote in a predictable manner. The United States, the United Kingdom, and France frequently justify their actions by describing the human rights violations as one of the four violations that must occur prior to R2P. These states also tend to advocate to end atrocities swiftly, frequently without acknowledging sovereignty and territorial integrity. The Russian Federation, China, Brazil, and India tend to argue that military intervention should never occur and that sovereignty and territorial integrity is of the utmost importance. Germany and South Africa tend to go between the two arguments list above.

A background of the events in Ukraine and Crimea and the Russian case for R2P in Crimea was explored. The implications of the Russian unilateral intervention in Crimea indicated that the Russian Federation has changed its initial reaction to the independence of Kosovo.

<sup>546</sup> Thakur, Ramesh. "The Responsibility to Protect at 15." *International Affairs* 92, no. 2 (2016). <https://doi.org/10.4324/9781351016797-2>. p. 418.

It is concluded that the Russian case in Crimea did not constitute a case of R2P as Russia was unable to convincingly demonstrate that the verified human rights violations constituted a case for R2P. This case may call into question how human rights violations are verified and how an investigator determines whether a human rights violation is widespread and systematic. When demonstrating that human rights violations are more important than sovereignty, certain language has been frequently used to persuade others that the case of humanitarian intervention is more important than sovereignty. By mentioning the specific violation, such as war crimes, crimes against humanity, ethnic cleansing, or genocide, the United States, the United Kingdom, and France, have been successful persuading other states to intervene in situations.

Further research must be conducted in order to aid those individuals charged with preparing to argue cases of R2P. The United Nations needs to re-evaluate its structural composition to include specific procedures on handling cases of R2P. Additionally, a definition of the threshold used to constitute a human rights violations needs to be established. Methods to determine when the United Nations has reached its last resort must also be studied to determine if there are other peaceful ways to end the violence before using force.

## References

- 16/33 Mandate of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance* United Nations General Assembly Human Rights Council (United Nations General Assembly Human Rights Council, April 13 2011). <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/128/04/PDF/G1112804.pdf?OpenElement>.
- 63/308. The Responsibility to Protect* (United Nations General Assembly, October 7 2009). <http://responsibilitytoprotect.org/Resolution%20RtoP%283%29.pdf>.
- 80th Plenary Meeting* United Nations General Assembly (United Nations General Assembly, March 27 2014). <https://undocs.org/en/A/68/PV.80>.
- 3868th Meeting* Security Council (New York: United Nations, March 31 1998). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3868.pdf>.
- 3988th Meeting*. Security Council (United Nations, 1999). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV3988.pdf>.
- 4011th Meeting*. Security Council (United Nations, June 10 1999). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/kos%20SPV4011.pdf>.
- 5839th Meeting*. Security Council (United Nations, February 18 2008). <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Kos%20S%20PV%205839.pdf>.

6491st Meeting. Security Council (United Nations, February 26 2011).

<http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/Libya%20S%20PV%206491.pdf>.

6498th Meeting. Security Council (United Nations, March 17 2011).

<http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/Libya%20S%20PV%206498.pdf>.

6627th Meeting. Security Council (United Nations, October 4 2011).

<https://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/Golan%20Heights%20S%20PV%206627.pdf>.

7138th Meeting Security Council (United Nations, March 15 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/s\\_pv\\_7138.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/s_pv_7138.pdf).

7144th Meeting Security Council (United Nations, March 19 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/s\\_pv\\_7144.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/s_pv_7144.pdf).

7180th Meeting. Security Council (United Nations, May 22 2014).

[http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/s\\_pv\\_7180.pdf](http://www.securitycouncilreport.org/atf/cf/%7B65BF9F96FF9%7D/s_pv_7180.pdf).

Aboagye, Festus. "South Africa and R2p: More State Sovereignty and Regime Security Than Human Security?". In *The Responsibility to Protect-from Evasive to Reluctant Action? The Role of Global Powers*, edited by Malte Brosig, 29-52. Johannesburg: Hanns Seidel Foundation 2012.

"Address by President of the Russian Federation." news release., March 18, 2014,

<http://en.kremlin.ru/events/president/news/20603>.

*A/HRC/RES/16/33 Resolution Adopted by the Human Rights Council 16/33 Mandate of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance.* United Nations General Assembly Human Rights Council (United Nations General Assembly Human Rights Council, April 13 2011).  
<https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/G11/128/04/PDF/G1112804.pdf?OpenElement>.

*A/HRC/22/59 Report of the Independent International Commission of Inquiry on the Syrian Arab Republic* United Nations General Assembly Human Rights Council (United Nations, February 5 2013).  
[https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A.HRC.22.59\\_en.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A.HRC.22.59_en.pdf)

*A/HRC/28/64/Add.1- Report of the Special Rapporteur on Minority Issues, Rita Izsák.* (January 27 2015). [http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a\\_hrc\\_28\\_64\\_add\\_1.pdf](http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a_hrc_28_64_add_1.pdf).

"'Alarming' Deterioration of Human Rights in Eastern Ukraine- Un Report ". *United Nations News* May 16 2014, <https://news.un.org/en/story/2014/05/468452-alarming-deterioration-human-rights-eastern-ukraine-un-report>.

Александрович, Е., "Проблемы Жителей Крыма." *Совет при Президенте Российской Федерации по развитию гражданского общества и правам человека*, April 22 2014, [http://president-sovet.ru/members/blogs/bobrov\\_e\\_a/problemy-zhiteley-kryma-/](http://president-sovet.ru/members/blogs/bobrov_e_a/problemy-zhiteley-kryma-/).

Altinsoy, Pinar. "Liberalism and Libya Intervention ", Hacettepe University  
[https://www.academia.edu/8795200/Liberalism\\_and\\_Libya\\_Intervention](https://www.academia.edu/8795200/Liberalism_and_Libya_Intervention).

- "A More Secure World: Our Shared Responsibility, Report of the High-Level Panel on Threats, Challenges and Change " news release., December 2, 2004, 2004, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N04/602/31/PDF/N0460231.pdf?OpenElement>.
- Annan, Kofi A. "'We the Peoples' the Role of the United Nations in the 21st Century " news release, 2000, [https://www.un.org/en/events/pastevents/pdfs/We\\_The\\_Peoples.pdf](https://www.un.org/en/events/pastevents/pdfs/We_The_Peoples.pdf).
- A/RES/68/262 Resolution Adopted by the General Assembly on 27 March 2014 68/262. Territorial Integrity of Ukraine* United Nations General Assembly (United Nations General Assembly, April 1 2014). [https://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a\\_res\\_68\\_262.pdf](https://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/a_res_68_262.pdf).
- Arrocha, Pablo. "The Never-Ending Dilemma: Is the Unilateral Use of Force by States Legal in the Context of Humanitarian Intervention? ." *Anuario Mexicano de Derecho Internacional* 11 (2011). <http://www.scielo.org.mx/pdf/amdi/v11/v11a1.pdf>.
- Banerjee, Dipankar. "India and R2p: Reconciling the Tension between Intervention and State Sovereignty." In *The Responsibility to Protect-from Evasive to Reluctant Action? The Role of Global Powers*, edited by Malte Brosig, 91-110. Johannesburg: Hanns Seidel Foundation, 2012.
- Barber, Rebecca, "Syria: The Disgraceful Stain Left by the Un Security Council Veto." *theinterpreter*, September 24 2019, <https://www.lowyinstitute.org/the-interpreter/syria-disgraceful-stain-left-un-security-council-veto>.
- Barreiro, Carla, Kate Seaman, and Katherine Teresa Towey. "Regional Organizations and Responsibility to Protect: Normative Reframing or Normative Change?". *Politics & Governance* 4, no. 3 (2016). <https://doi.org/10.17645/pag.v4i3.642>.
- Baylis, J. and S. Smith. *The Globalization of World Politics* USA: Oxford University Press 2017.

- Bellamy, Alex J. "The Responsibility to Protect- Five Years On." *Ethics & International Affairs* 24, no. 2 (2019). <https://doi.org/10.1111/j.1747-7093.2010.00254.x>.
- Bellamy, Alex. "The Responsibility to Protect Turns Ten." *Ethics & International Affairs* 29, no. 2 (June 1 2015): 161-85. <https://doi.org/10.1017/S0892679415000052>.  
<https://doi.org/10.1017/S0892679415000052>.
- Bellamy, Alex J. and Paul D. Williams. "The New Politics of Protection? Côte d'Ivoire, Libya and the Responsibility to Protect ". *International Affairs* 87, no. 4 (July 2011): 825-50. Royal Institute of International Affairs <https://www.jstor.org/stable/20869761>.
- Berkut Quick Response Force* (GlobalSecurity.org).  
<https://www.globalsecurity.org/intell/world/ukraine/berkut.htm>.
- Bilych, Ivanna et al., "The Crisis in Ukraine: Its Legal Dimensions ". *Razom*, April 14 2014  
<https://www.razomforukraine.org/wp-content/uploads/2016/05/The-Crisis-in-Ukraine-Its-Legal-Dimensions.pdf>.
- Bond, Jennifer and Laurel Sherret, "A Sight for Sore Eyes: Bringing Gender Vision to the Responsibility to Protect Framework " *INSTRAW. United Nations International Research and Training Institute for the Advancement of Women* 2006, <https://ssrn.com/abstract=2129575>.
- Bond, Jennifer and Laurel Sherret. "Mapping Gender and the Responsibility to Protect: Seeking Intersections, Finding Parallels." *Global Responsibility to Protect* 4, no. 2 (2012): 133-365.
- Brosig, Malte. "Responsibility to Protect: The Gibsa Perspective ". In *The Responsibility to Protect- from Evasive to Reluctant Action? The Role of Global Middle Powers* edited by Malte Brosig, 1-10. Johannesburg: Hanns Seidel Foundation, 2012.
- Browsell, James, "Kenya: What Went Wrong in 2007? ." *Al Jazeera* March 3 2013,  
<https://www.aljazeera.com/indepth/features/2013/03/201333123153703492.html>.

- Bull, Hedley. *The Anarchical Society: A Study of Order in World Politics* New York and Chichester, West Sussex Palgrave, 2002
- Buzan, Barry. "The English School: An Underexploited Resource in Ir." *Review of International Studies* 27, no. 3 (2001).  
<http://search.ebscohost.com/login.aspx?direct=true&db=edb&AN=27604824&site=eds-live&scope=site>.
- Chandler, David. *From Kosovo to Kabul and Beyond: Human Rights and International Intervention* London: Pluto Press 2005.  
<http://search.ebscohost.com/login.aspx?direct=true&db=edsebk&AN=329558&site=eds-live&scope=site> .
- "Chapter I." United Nations, accessed March 1, 2020, <https://www.un.org/en/sections/un-charter/chapter-i/index.html>.
- "Chapter 1: Purposes and Principles ", accessed 2020, March 3  
<https://www.un.org/en/sections/un-charter/chapter-i/index.html>.
- "Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression ". *United Nations* <https://www.un.org/en/sections/un-charter/chapter-vii/index.html>.
- Charlesworth, Hilary. "Feminist Reflections on the Responsibility to Protect." *Global Responsibility to Protect* 2, no. 3 (2010).
- Chesterman, S. *Just War or Just Peace?* New York, 2001.
- Cheeseman, N. "The Kenyan Election of 2007: An Introduction ". *Journal of Eastern African Studies* 2, no. 2 (2008): 166-84. <https://doi.org/10.1080>.

<http://search.ebscohost.com.ezproxy.lib.vt.edu/login.aspx?direct=true&db=poh&AN=33401069&site=eds-live&scope=site>.

Clarifying the Protection Debate in the Crimean Peninsula ". *International Coalition for the Responsibility to Protect* March 31 2014 <https://icrtopblog.org/2014/03/31/clarifying-the-protection-debate-in-the-crimean-peninsula/>.

Cohen, Roberta, "The Responsibility to Protect: Human Rights and Humanitarian Dimensions ". *Brookings* March 1, 2016, <https://www.brookings.edu/on-the-record/the-responsibility-to-protect-human-rights-and-humanitarian-dimensions/>.

*Constitutive Act of the African Union*. African Union (Togo: African Union, July 11 2000). [https://web.archive.org/web/20120106025116/http://www.au2002.gov.za/docs/key\\_oau/au\\_act.htm](https://web.archive.org/web/20120106025116/http://www.au2002.gov.za/docs/key_oau/au_act.htm).

Cook, Nicholas. "Cote d'Ivoire's Post-Election Crisis." *Congressional Research Service* (January 28 2011). <https://books.google.com/books?id=l2s37ZwzdgoC&pg=PA7&lpg=PA7&dq=173+arbitrary+and+extrajudicial+executions+cote+d%27ivoire&source=bl&ots=WE4kQKfDnW&sig=ACfU3U2tqijO5jLIR-aXpeFC-609LMmR3Q&hl=en&sa=X&ved=2ahUKEwj5sv2Q18foAhVWIXIEHYuGBekQ6AEwAXoECAoQKA#v=onepage&q=173%20arbitrary%20and%20extrajudicial%20executions%20cote%20d'ivoire&f=false>.

"Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs Regarding the End of the Visit of the Independent Expert on Issues of National Minorities of the United Nations Human Rights Council (UNHRC) to Ukraine " news

release., April 17 2014, [https://www.mid.ru/en/web/guest/maps/ua/-/asset\\_publisher/ktn0ZLTvbbS3/content/id/64934](https://www.mid.ru/en/web/guest/maps/ua/-/asset_publisher/ktn0ZLTvbbS3/content/id/64934).

“Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs Regarding the End of the Visit of the Independent Expert on Issues of National Minorities of the United Nations Human Rights Council (UNHRC) to Ukraine ” news release., April 17 2014, [https://www.mid.ru/en/web/guest/maps/ua/-/asset\\_publisher/ktn0ZLTvbbS3/content/id/64934](https://www.mid.ru/en/web/guest/maps/ua/-/asset_publisher/ktn0ZLTvbbS3/content/id/64934).

"Comment by the Information and Press Department of the Russian Ministry of Foreign Affairs Regarding the Adoption of the Resolution of the 26th Session of the United Nations Human Rights Council “Cooperation and Assistance to Ukraine in the Field of Human Rights”." news release., June 28, 2014, [https://www.mid.ru/en/foreign\\_policy/humanitarian\\_cooperation/-/asset\\_publisher/bB3NYd16mBFC/content/id/53774](https://www.mid.ru/en/foreign_policy/humanitarian_cooperation/-/asset_publisher/bB3NYd16mBFC/content/id/53774).

"Côte d'Ivoire ". *United Nations High Commissioner for Refugees Regional Representation for West Africa - RSD Unit* (August 2017 ). <https://data2.unhcr.org/en/documents/download/60075>.

"Crimea Parliament Declares Independence ". March 11Center For Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#15>.

"Crimean Parliament Sets Referendum as Ukrainian Government Vows to Prevent Break-Up." February 27Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#2>.

Crimean Parliament Votes to Secede from Ukraine, Join Russia." March 6Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#6>.

"Crimea Votes to Join Russia." March 16 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#26>.

"Crisis in Kyiv: November 2013-February 2014." November 22 Center For Strategic & International Studies April 5 2013. The Ukraine Crisis Timeline <http://ukraine.csis.org/kyiv.htm#0>.

"Crisis in Mali." International Coalition for the Responsibility to Protect, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-mali>.

Crossley, Noele. "Is R2p Still Controversial? Continuity and Change in the Debate on 'Humanitarian Intervention'." *Cambridge Review of International Affairs* 31, no. 5 (2018): 415-36. <https://doi.org/10.1080/09557571.2018.1516196>.

Danen, Bram, "Russia and Ukraine: A Post-Colonial Perspective on the Ukraine-Russia Conflict". *Leiden University* August 1 2016 <https://openaccess.leidenuniv.nl/bitstream/handle/1887/42173/Russia%20and%20Ukraine.%20A%20post-colonial%20perspective.pdf?sequence=1>.

Davies, Sara E., "R2p and Gender: The Marginalization of Responsibilities." *E-International Relations Students* March 13, 2014 <https://www.e-ir.info/2014/03/13/r2p-and-gender-the-marginalization-of-responsibilities/>.

Dunay, Pál. "Kosovo 1999 and Crimea 2014: Similarities and Differences." *Connections* 14, no. 4. (2015 ): 57-68. Accessed February 3 <https://www.jstor.org/stable/10.2307/26326418>.

Dunne, Tim, "The English School and Humanitarian Intervention." *E-International Relations Students* February 17, 2016, <https://www.e-ir.info/2016/02/17/the-english-school-and-humanitarian-intervention>.

- Dunne, Tim and M. Hanson. "Human Rights in International Relations ". Oxford University Press, 2009.
- Early Warning, Assessment and Responsibility to Protect* General Assembly (United Nations, July 14 2010). [http://www.responsibilitytoprotect.org/N1045020\(1\).pdf](http://www.responsibilitytoprotect.org/N1045020(1).pdf).
- "EU Lifts Arms Embargo on Syrian Rebels ". *Aljazeera* May 28, 2013, <https://www.aljazeera.com/news/2013/05/2013527185914804364.html>.
- Evans, Gareth. *The Responsibility to Protect-Ending Mass Atrocity Once and for All* Edited by Brookings Institution Press. Washington, DC, September, 2008. <http://gevans.org/r2pbook.html>.
- Fernandes, Terence, "Theoretical Approach to Understanding NATO Intervention in Libya." *E-International Relations Students* October 13 2013, <https://www.e-ir.info/2013/10/11/theoretical-approach-to-understanding-nato-intervention-in-libya/>.
- Gallagher, Adrian M. "A Clash of Responsibilities: Engaging with Realist Critiques of the R2p." *Global Responsibility to Protect* 4, no. 3 (2012): 334-57.
- "General Assembly Adopts Resolution Urging Russian Federation to Withdraw Its Armed Forces from Crimea, Expressing Grave Concern About Rising Military Presence." *United Nations General Assembly* December 17 2018, <https://www.un.org/press/en/2018/ga12108.doc.htm>.
- Glanville, Luke. "The Antecedents of 'Sovereignty as Responsibility'." *European Journal of International Relations* 17 (2010): 233-55.
- Glanville, Luke. "Does R2p Matter? Interpreting the Impact of a Norm ". *Cooperation and Conflict* 51, no. 2 (2016): 184-96.

<http://search.ebscohost.com/login.aspx?direct=true&db=edsjsr&AN=edsjsr.48512896&site=eds-live&scope=site>.

Graubart, Johnathan. "Human Rights Quarterly R2p and Pragmatic Liberal Interventionism: Values in the Service of Interests." *Human Rights Quarterly* 35, no. 1 (2013): 69-90.

<http://search.ebscohost.com.ezproxy.lib.vt.edu/login.aspx?direct=true&db=edshol&AN=edshol.hin.journals.hurq35.7&site=eds-live&scope=site>.

Gray, Christine. "The Use of Force for Humanitarian Purposes ". In *Research Handbook on International Conflict and Security Law* 2013.

Greenwood, C. "Is There a Right of Humanitarian Intervention?". *The World Today* 49, no. 2 (February 1993).

Gregory, P.R. *Forbes* May 5, 2014,

<https://www.forbes.com/sites/paulroderickgregory/2014/05/05/putins-human-rights-council-accidentally-posts-real-crimean-election-results-only-15-voted-for-annexation/#1032770ef172>.

Halliyade, Muditha. "Syria- Another Drawback for R2p?: An Analysis of R2p's Failure to Change International Law on Humanitarian Intervention ". *Indiana Journal of Law and Social Equality* 4, no. 2 (2016): 215-47.

<https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1049&context=ijlse>.

Hamann, Eduarda Passarelli. "Brazil and R2p: A Rising Global Player Struggles to Harmonise Discourse and Practice ". In *The Responsibility to Protect-from Evasive to Reluctant Action? The Role of Global Middle Powers* edited by Malte Brosig, 71-90. Johannesburg Hanns Seidel Foundation, 2012

Hewitt, Sarah. "Overcoming the Gender Gap: The Possibilities of Alignment between the Responsibility to Protect and the Women, Peace, and Security Agenda ". *Global Responsibility to Protect* 8, no. 1 (January 2016): 3-28. <https://doi.org/10.1163/1875984X-00801002>.

Hipold, Peter. "Ukraine, Crimea and New International Law: Balancing International Law with Arguments Drawn from History." *Chinese Journal of International Law* 14, no. 2 (June 2015): 237-70. <https://doi.org/10.1093>. <https://doi.org/10.1093/chinesejil/jmv011>.

"Historical Overview: NATO's Role in Relation to the Conflict in Kosovo." NATO, accessed April 13, 2020, <https://www.nato.int/kosovo/history.htm>.

Hollenbach, David. "Humanitarian Intervention: Why, When & How ". *Commonwealth* no. 19 (2010). <http://search.ebscohost.com.ezproxy.lib.vt.edu/login.aspx?direct=true&db=edsclr&AN=edscl.242021942&site=eds-live&scope=site>.

Ignatieff, Michael, "How Syria Divided the World ". *The New York Review of Books*, July 11, 2012, <http://www.nybooks.com/blogs/nyrblog/2012/jul/11/syria-proxy-war-russia-china>.

*Implementing the Responsibility to Protect*. (United Nations General Assembly, January 12 2009). [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/63/677](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/63/677).

"In Larger Freedom: Towards Development, Security and Human Rights for All " news release., 2005, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/CPR%20A%2059%202005.pdf>.

"Interim Ukrainian Pm at United Nations." March 13 Center For Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#19>.

"International Coalition for the Responsibility to Protect " Institute for Global Policy accessed April 23, 2020, <http://www.responsibilitytoprotect.org>.

"International Reaction to the Referendum in Crimea ". March 16 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#28>.

"International Reaction to Ukraine's About-Face ". November 22 Center For Strategic & International Studies April 10 2013. Timeline <http://ukraine.csis.org/kyiv.htm#2>.

*Intervention by the Representative of Ukraine at the Informal, Interactive Dialogue of the General Assembly on the Responsibility of States to Protect Their Population by Preventing Genocide, War Crimes, Ethnic Cleansing and Crimes against Humanity through Appropriate and Necessary Means* United Nations General Assembly (New York September 8 2014 ). <http://www.responsibilitytoprotect.org/Ukraine.pdf>.

"Ivory Coast United Nations Operation in Côte d'Ivoire (UNOCI) " news release., 2017, <https://sites.tufts.edu/wpf/files/2017/07/Ivory-Coast-brief.pdf>.

Jackson, Robert and George Sørensen *Introduction to International Relations: Theories Approaches* 4ed. New York: Oxford University Press, 2010.

Juma, Monica Kathina. "African Mediation of the Kenyan Post-2007 Election Crisis." *Journal of Contemporary African Studies* 27, no. 3 (July 2009): 407-30.  
<http://eds.b.ebscohost.com.ezproxy.lib.vt.edu/eds/pdfviewer/pdfviewer?vid=2&sid=f7ef3f09-4553-4cff-80cb-e3dcddfd948c%40sessionmgr4007>.

Junk, Julian. "Bringing the Non-Coercive Dimensions of R2p to the Fore: The Case of Kenya ". *Global Society* 30, no. 1 (2016): 54-66. <https://doi.org/10.1080/13600826.2015.1092422>.

Kazianis, Harry, "Intervention in Libya: Example of "R2p" or Classical Realism? ." *E-International Relations Students* June 6 2011, <https://www.e-ir.info/2011/06/06/intervention-in-libya-example-of-%E2%80%9Cr2p%E2%80%9D-or-classic-realism/>.

- "Kenya " Global Centre For the Responsibility to Protect 2019, accessed March 11, 2020,  
<https://www.globalr2p.org/countries/kenya/>.
- "Kerry: Annexation Would Close Door on Diplomacy ". March 8 Center For Strategic &  
 International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#11>.
- "Kerry-Lavrov Talks End in Stalemate." March 14 Center For Strategic & International Studies,  
 April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#20>.
- Kjellberg, Henna. "The Responsibility to Protect in Libya and Syria: The Future of International  
 Law or an Abuse of Power? ." Bachelor, Master of Laws, Lund University 2017  
<http://lup.lub.lu.se/luur/download?func=downloadFile&recordId=8908471&fileId=8920093>.
- Leveringhaus, Alex. "Liberal Interventionism, Humanitarian Ethics, and the Responsibility to Protect ".  
*Global Responsibility to Protect* 6, no. 2 (2014). <https://doi.org/10.1163/1875984X-00602005>.
- Leonaitė, Erika and Dainius Žalimas. "The Annexation of Crimea and Attempts to Justify It in  
 the Context of International Law ". *Lithuanian Annual Strategic Review* 14, no. 1  
 (December 8 2016): 11-63. <https://doi.org/10.1515>.  
<https://content.sciendo.com/view/journals/lasr/14/1/article-p11.xml>.
- Lewis, M.W and K.E. Wigen. *The Myth of Continents: A Critique of Metageography* Berkeley  
 University of California Press 1997.
- "Libya: Governments Should Demand End to Unlawful Killings." *Human Rights Watch* 2011,  
<https://www.hrw.org/news/2011/02/20/libya-governments-should-demand-end-unlawful-killings#>.
- Lidenmayer, Elisabeth and Josie Lianna Kaye, "A Choice for Peace? The Story of Forty-One  
 Days of Mediation in Kenya," New York: International Peace Institute, August 2009.

Lihua, Zhang, "Explaining China's Position on the Crimea Referendum ". *Carnegie-Tsinghua Center for Global Policy* April 1 2015,

<https://carnegietsinghua.org/2015/04/01/explaining-china-s-position-on-crimea-referendum-pub-59600>.

Lu, Catherine. "The Lessons of History Humanitarian Intervention: Moral Ambition and Political Constraints ". *International Journal* 62, no. 4 (2006): 942-52.

<http://search.ebscohost.com.ezproxy.lib.vt.edu/login.aspx?direct=true&db=edshol&AN=edshol.hin.journals.intj62.69&site=eds-live&scope=site>.

Lukashevich, Alexander. "Comment by the Official Representative of the Ministry of Foreign Affairs of Russia, Alexander Lukashevich, Regarding the Publication of the Report by the Office of the United Nations High Commissioner for Human Rights on the Situation in Ukraine " news release, April 15, 2014,

[https://www.mid.ru/en/foreign\\_policy/humanitarian\\_cooperation/-/asset\\_publisher/bB3NYd16mBFC/content/id/65478](https://www.mid.ru/en/foreign_policy/humanitarian_cooperation/-/asset_publisher/bB3NYd16mBFC/content/id/65478).

Mahdavi, Mojtaba. "A Postcolonial Critique of Responsibility to Protect in the Middle East ". *Perceptions: Journal of International Affairs* 20 no. 1 (Spring 2015): 7-36.

<http://search.ebscohost.com/login.aspx?direct=true&db=poh&AN=111471226&site=eds-live&scope=site>.

Masdah, Fahmi, "The Realist Challenge of the R2p." *Medium*, June 2 2019,

<https://medium.com/@fahmimasda/the-realist-challenge-of-the-r2p-afa425730afa>.

McLaughlin, Liam, "Why We Shouldn't Intervene in Libya " *NewStatesman*, March 21 2011,

<https://www.newstatesman.com/blogs/the-staggers/2011/03/resolution-china-germany>.

Mearsheimer, J.J. "Why the Ukraine Crisis Is the West's Fault. ." *Foreign Affairs*

(September/October 2014 ).

[https://pdfs.semanticscholar.org/2930/73c0febf174ae904bea3d7f1524e14307706.pdf?\\_ga=2.220137564.478297178.1573189845-1221647991.1573000839](https://pdfs.semanticscholar.org/2930/73c0febf174ae904bea3d7f1524e14307706.pdf?_ga=2.220137564.478297178.1573189845-1221647991.1573000839).

*Meeting of the Un Security Council on Ukraine (Veto)*. (Voltaire Network, March 15 2014).

<https://www.voltairenet.org/article182857.html>.

Milne, Seumas, "If the Libyan War Was About Saving Lives, It Was a Catastrophic Failure." *The*

*Guardian* March 2 2011, <https://www.theguardian.com/commentisfree/2011/oct/26/libya-war-saving-lives-catastrophic-failure>.

Morgenthau, Hans. "To Intervene or Not to Intervene ". *Foreign Affairs* (1967): 103.

Motyl, Alexander, "The Ukraine Crisis According to John J. Mearsheimer: Impeccable Logic,

Wrong Facts ". *European Leadership Network* October 31, 2014,

<https://www.europeanleadershipnetwork.org/commentary/the-ukraine-crisis-according-to-john-j-mearsheimer-impeccable-logic-wrong-facts/>.

"Мусій: Дані Про 780 Загиблих На Майдані – Брехня І Провокації." *Українська правда*,

April 11, 2014, <https://www.pravda.com.ua/news/2014/04/11/7022091/>.

Naím, Moisés, "Why Libya, but Not Syria?." *Carnegie Endowment for International Peace* March 4

2011, <https://carnegieendowment.org/2011/05/18/why-libya-but-not-syria-pub-44067>.

Nair, Shelia, "Introducing Postcolonialism in International Relations Theory ". *E-International Relations*

*Students* December 8, 2017, <https://www.e-ir.info/2017/12/08/postcolonialism-in-international-relations-theory/>.

Novosseloff, Alexandra. *The Many Lives of a Peacekeeping Mission: The UN Operations in*

*Côte D'Ivoire* International Peace Institute (New York International Peace Institute, June

- 2018). [https://www.ipinst.org/wp-content/uploads/2018/06/1806\\_Many-Lives-of-a-Peacekeeping-Mission.pdf](https://www.ipinst.org/wp-content/uploads/2018/06/1806_Many-Lives-of-a-Peacekeeping-Mission.pdf).
- O'Brien, Emily and Andrew Sinclair, "The Libyan War: A Diplomatic History February-August 2011 ". *New York University Center on International Cooperation*, August 2011, [https://reliefweb.int/sites/reliefweb.int/files/resources/libya\\_diplomatic\\_history.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/libya_diplomatic_history.pdf) .
- O'Connell, Mary Ellen, "Sri Lanka Peace, Not R2p." *E-International Relations Students* April 28, 2009, <https://www.e-ir.info/2009/04/28/sri-lanka-needs-peace-not-r2p/>.
- O'Connell, Mary Ellen. "Responsibility to Protect: A Critique of R2p." *Journal of Intervention and Statebuilding* 4, no. 1 (2010).
- "OHCHR in Côte d'Ivoire (2010-2011)." *United Nations Human Rights Office of the High Commissioner* 2020, <https://www.ohchr.org/EN/Countries/AfricaRegion/Pages/CI2010-2011.aspx>.
- "OHCHR in Côte d'Ivoire (2010-2011) Human Rights Context " *United Nations Human Rights Office of the High Commissioner* accessed March 23, 2020, <https://www.ohchr.org/EN/Countries/AfricaRegion/Pages/CI2010-2011.aspx>.
- "OHCHR in Libya ", 2020, <https://www.ohchr.org/EN/Countries/MENARegion/Pages/LYProgramme.aspx>.
- "One Protestor Dead after Clashes in Donetsk." March 13 *Center For Strategic & International Studies* April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#18>.
- O'Reilly, K.P. *A Rogue Doctrine? The Role of Strategic Culture on Us Foreign Policy Behavior*. Vol. 9, Carroll University Foreign Policy Analysis, 2013. Print
- Osborne, Samuel, "8 Graphs That Challenge What You Think You Know About Syrian Refugees in Europe ". *Independent* October 15 2015,

- <https://www.independent.co.uk/news/world/europe/8-graphs-that-challenge-what-you-think-you-know-about-syrian-refugees-in-europe-a6689021.html>.
- "Opinio Juris (International Law)." Legal Information Institute accessed March 4 2020,  
[https://www.law.cornell.edu/wex/opinio\\_juris\\_\(international\\_law\)](https://www.law.cornell.edu/wex/opinio_juris_(international_law)).
- "Opposition Vacates Occupied Buildings, Unblocks City Streets ". February 16 Center For Strategic & International Studies April 5 2014. Timeline  
<http://ukraine.csis.org/kyiv.htm#7>.
- Ouma, Radoli Lydia. "'White Terror and Ghosts of Kenya': Postcolonial, Socio-Political Imagery and Narratives of Kenyan Diasporas ". *Research Association for Interdisciplinary Studies* (April 2019 ). <https://doi.org/10.5281/DOI:10.5281/zenodo.2651347>.
- Pape, Robert A. "When Duty Calls: A Pragmatic Standard of Humanitarian Intervention." *International Security* 37, no. 1 (2012). [https://doi.org/10.1162/ISEC\\_a\\_00088](https://doi.org/10.1162/ISEC_a_00088).
- Paris, Roland. "Is It Possible to Meet the 'Responsibility to Protect'?" . (December 9 2014).
- President Obama Met with Pm Yatenyuk." March 12 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#17>.
- Pro-Russian Chaly Appointed Mayor of Sevastopol Amid Tensions." February 25 Center For Strategic & International Studies, April 5 2014. Timeline.  
<http://ukraine.csis.org/crimea.htm#1>.
- "Public Opinion Survey of Ukraine March 14-26, 2014 ". *International Republican Institute* March 14-16, 2014,  
<https://www.iri.org/sites/default/files/2014%20April%205%20IRI%20Public%20Opinion%20Survey%20of%20Ukraine%2C%20March%2014-26%2C%202014.pdf>.

"Rada Passes Harsh Anti-Protest Legislation ". January 16 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#6>.

Reisman, W.M. and M.S. McDougal. *Humanitarian Intervention to Protect the Ibos* Humanitarian Intervention and the United Nations Vol. Lillich R. (ed.), USA, 1973.

*Responsibility to Protect: State Responsibility and Prevention a/67/929-S/2013/399*. General Assembly and Security Council (United Nations, July 9 2013).  
[http://responsibilitytoprotect.org/SG%20report%202013\(1\).pdf](http://responsibilitytoprotect.org/SG%20report%202013(1).pdf).

*Responsibility to Protect: Timely and Decisive Response*. General Assembly Security Council (United Nations, July 25 2012).  
[http://www.responsibilitytoprotect.org/UNSG%20Report\\_timely%20and%20decisive%20response\(1\).pdf](http://www.responsibilitytoprotect.org/UNSG%20Report_timely%20and%20decisive%20response(1).pdf).

*Report from OHCHR Fact-Finding Mission to Kenya 6-28 February 2008* United Nations High Commissioner for Human Rights (United Nations High Commissioner for Human Rights, February 6-28 2008).  
<https://www.ohchr.org/documents/press/ohchrkenyareport.pdf>.

*Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*. (United Nations General Assembly Human Rights Council, February 5 2013).  
[https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A.HRC.22.59\\_en.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A.HRC.22.59_en.pdf)

*Report on the General Assembly Plenary Debate on the Responsibility to Protect* (International Coalition For The Responsibility to Protect, September 15 2009).  
<http://responsibilitytoprotect.org/ICRtoPGAdebate.pdf>.

Reshetnikov, Anatoly. "Intervention as Virtue, Obligation and Moral Duty : The Meaning of Russia's Rhetoric on Responsibility During the Georgian and the Crimean Crises ".

*Russian Politics* 2, no. 2 (June 17 2017): 155-81. <https://doi.org/10.1163>.

<https://doi.org/10.1163/2451-8921-00202003>.

*Resolution 1674 (2006)*. Security Council (United Nations, April 28 2006).

[https://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1674\(2006\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1674(2006)).

*Resolution 1706*. Security Council (United Nations, August 31 2006).

<http://unscr.com/files/2006/01706.pdf>.

*Resolution 1894 (2009)*. Security Council (United Nations, November 11 2009).

[https://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1894\(2009\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1894(2009)).

*Resolution 1970 (2011)* (United Nations Security Council, February 26 2011).

[https://www.undocs.org/S/RES/1970%20\(2011\)](https://www.undocs.org/S/RES/1970%20(2011)).; "The Crisis in Libya ". *International Coalition for the Responsibility to Protect* accessed March 1, 2020,

<http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

*Resolution 1973 (2011)* (United Nations Security Council, March 17 2011).

[https://www.undocs.org/S/RES/1973%20\(2011\)](https://www.undocs.org/S/RES/1973%20(2011)).

*Resolution 1970 (2011)*. Security Council (United Nations, February 26 2011).

[https://www.undocs.org/S/RES/1970%20\(2011\)](https://www.undocs.org/S/RES/1970%20(2011)).

*Resolution 1973*. Security Council (United Nations, March 17 2011).

[https://www.undocs.org/S/RES/1973%20\(2011\)](https://www.undocs.org/S/RES/1973%20(2011)).

*Resolution 1975*. Security Council (United Nations, March 30 2011).

<http://unscr.com/en/resolutions/doc/1975>.

*Resolution 1996 (2011)*. Security Council (United Nations, July 8 2011).

<http://unscr.com/en/resolutions/doc/1996>.

*Resolution 2014*. Security Council (United Nations, October 21 2011).

<http://unscr.com/en/resolutions/doc/2014>.

*Resolution 2016 (2011)*. Security Council (United Nations, October 27 2011).

<http://unscr.com/en/resolutions/doc/2016>.

*Resolution 2040 (2012)*. Security Council (United Nations, March 12 2012).

<http://unscr.com/en/resolutions/doc/2040>.

*Resolution 2085 (2012)*. Security Council (United Nations, December 20 2011).

<http://unscr.com/en/resolutions/doc/2085>.

*Resolution 2100*. Security Council (United Nations, April 25 2013).

<https://digitallibrary.un.org/record/748429?ln=en>.

*Resolution 2118 (2013)* (United Nations Security Council, September 27 2013).

[https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2118.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2118.pdf).

*Resolution 2165*. Security Council (United Nations, July 14 2014).

<http://unscr.com/en/resolutions/doc/2165>.

Resolution 2165 (Syria) S/Res/2165." *Global Centre For The Responsibility to Protect* July 14

2014, <https://www.globalr2p.org/resources/resolution-2165-syria-s-res-2165/>.

"Resolution Adopted by the General Assembly 60/1.2005 World Summit Outcome." news release.,

October 24, 2005, 2005, <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/PBC%20ARES601.pdf>.

*Report from OHCHR Fact-Finding Mission to Kenya 6-28 February 2008* United Nations High Commissioner for Human Rights (United Nations High Commissioner for Human Rights, February 6-28 2008 ).

<https://www.ohchr.org/documents/press/ohchrkenyareport.pdf>.

*Report of the United Nations High Commissioner for Human Rights on the Situation of Human Rights in the Syrian Arab Republic* Human Rights Council (United Nations General Assembly, September 15 2011).

[https://www.ohchr.org/Documents/countries/SY/Syria\\_Report\\_2011-08-17.pdf](https://www.ohchr.org/Documents/countries/SY/Syria_Report_2011-08-17.pdf).

*Report on the Human Rights Situation in Ukraine* Office of the United Nations High Commissioner for Human Rights (Office of the United Nations High Commissioner for Human Rights, April 15 2014 ). <https://korea.mfa.gov.ua/en/news/21972-ohchr-report-on-the-human-rights-situation-in-ukraine>.

Reus-Smit, Christian. "Human Rights and the Social Construction of Sovereignty ". *Review of International Studies* 27, no. 4 (2001): 519-38. [www.jstor.org/stable/20097758](http://www.jstor.org/stable/20097758).

Rimmer, Susan Harris, "When WPS Met CEDAW (and Broke up with R2p?)." *E-International Relations Students* March 13, 2014, <https://www.e-ir.info/2014/03/13/when-wps-met-cedaw-and-broke-up-with-r2p/>.

Rohan, Albert. "Kosovo's Path to Independence." European Council on Foreign Relations, Updated February 2, 2018, [https://www.ecfr.eu/article/commentary\\_kosovos\\_path\\_to\\_independence](https://www.ecfr.eu/article/commentary_kosovos_path_to_independence).

Russia Considering End to START Inspections ". March 8 Center For Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#12>.

"Russia to Extend Financial Lifeline to Ukraine ". December 16 Center For Strategic & International Studies April 5 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#5>.

"Russian Forces Occupy Strategic Facilities in Crimea ". February 28 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#3>.

"Russia Vetoes U.N. Resolution on Ukraine." March 15 Center For Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#23>.

*S-15/2 Situation of Human Rights in the Libyan Arab Jamahiriya* United Nations Human Rights Council (United Nations Human Rights Council, February 25 2011).

<https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%20A%20HRC%20S%2015%202.pdf>.

*S/2014/189 Albania, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America: Draft Resolution.* United Nations Security Council (United Nations Security Council, March 15 2014 ). [http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/s\\_2014\\_189.pdf](http://www.securitycouncilreport.org/atf/cf/%7b65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7d/s_2014_189.pdf).

Scheidlin, Dahila and Haki Abazi. *Crimea Is Not Kosovo*. Center for Euro-Atlantic Studies CEAS (Center for Euro-Atlantic Studies - CEAS, April 23 2014). <https://www.ceas-serbia.org/en/external/2451-crimea-is-not-kosovo>.

- "Secretary-General Presents His Annual Report to General Assembly " United Nations September 20, 1999, accessed February 28, 2020, <https://www.un.org/press/en/1999/19990920.sgsm7136.html>.
- Sharp, Jeremy. "Armed Conflict in Syria: U.S. And International Response ". Article *Congressional Research Service* (July 12 2012).
- Søndergaard, Bettina Dahl. "The Political Realism of Augustine and Morgenthau: Issues of Man, God, and Just War." *Turkish Journal of International Relations* 7, no. 4 (2008).
- Stamnes, Eli and Sarah Teitt and Sara Ellen Davies and Zim G. Nwokora. *Responsibility to Protect and Women, Peace, and Security: Aligning the Protection Agendas* Leiden: Brill I Nijhoff, 2013.  
<http://search.ebscohost.com/login.aspx?direct=true&db=edsebk&AN=637415&site=eds-live&scope=site>.
- Stuenkel, Oliver, "Book Review: The Responsibility to Protect - from Evasive to Reluctant Action?," Malte Brosig ed. *Post Western World* November 21, 2012,  
<https://www.postwesternworld.com/2012/11/21/book-review-the-responsibility-to-protect-from-evasive-to-reluctant-action-by-malte-brosig-ed/>.
- Stuenkel, Oliver, "Is R2P a Western Idea?." *Post-Western World*, November 30, 2012,  
<https://www.postwesternworld.com/2012/11/30/is-r2p-a-western-idea/>.
- Stuenkel, Oliver, "Book Review: The Responsibility to Protect - from Evasive to Reluctant Action?," Malte Brosig ed. *Post Western World* November 21, 2012,  
<https://www.postwesternworld.com/2012/11/21/book-review-the-responsibility-to-protect-from-evasive-to-reluctant-action-by-malte-brosig-ed/>.
- Steunkel, Oliver. *The BRICS and the Future of Global Order* Lanham, MD Lexington Books, 2015.  
[https://books.google.com/books?id=B1RuBwAAQBAJ&printsec=frontcover&source=gbs\\_ge\\_summary\\_r&cad=0#v=onepage&q&f=false](https://books.google.com/books?id=B1RuBwAAQBAJ&printsec=frontcover&source=gbs_ge_summary_r&cad=0#v=onepage&q&f=false) .

Stewart, Patrick, "Rip for R2p? Syria and the Dilemmas of Humanitarian Intervention." *Council on Foreign Relations* March 3 2012, <https://www.cfr.org/blog/rip-r2p-syria-and-dilemmas-humanitarian-intervention>.

Stromseth, J. "Rethinking Humanitarian Intervention: The Case for Incremental Change ". In *Humanitarian Intervention: Ethical, Legal and Political Dilemma*, edited by J.L. Holzgrefe and Robert O. Keohane: Cambridge University Press 2003.

Summerfield, Maj J.D. "Mixed Motives and Irregularities: Libya, Syria, and the Responsibility to Protect ", Canadian Forces College  
<https://www.cfc.forces.gc.ca/259/290/402/286/summerfield.pdf>.

"Syria." U.S. Agency for International Development (USAID) 2019, accessed March 6, 2020, <https://www.usaid.gov/es/syria>.

Syria's Bloody Uprising: Reported Deaths over 2011." *Guardian News and Media Limited*  
<https://www.theguardian.com/world/datablog/2011/dec/13/syria-un-5000-deaths>.

Tesón, F. *Humanitarian Intervention*. New York, 1997.

Thakur, Ramesh. "The Responsibility to Protect at 15." *International Affairs* 92, no. 2 (2016).  
<https://doi.org/10.4324/9781351016797-2>.

*The Common African Position on the Proposed Reform of the United Nations: "the Ezulwini Consensus"*. African Union (African Union, March 7-8 2005).  
[https://www.un.org/en/africa/osaa/pdf/au/cap\\_screform\\_2005.pdf](https://www.un.org/en/africa/osaa/pdf/au/cap_screform_2005.pdf).

"The Crisis in Côte d'Ivoire " International Coalition for the Responsibility to Protect accessed February 21, 2020, <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-ivory-coast>.

"The Crisis in Kenya " International Coalition for the Responsibility to Protect accessed March 2 2020 <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-kenya>.

"The Crisis in Libya ". *International Coalition for the Responsibility to Protect* <http://www.responsibilitytoprotect.org/index.php/crises/crisis-in-libya>.

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

*The Responsibility to Protect* (Canada: International Commission on Intervention and State Sovereignty, December 2001). <http://responsibilitytoprotect.org/ICISS%20Report.pdf>.

*The Responsibility to Protect*. Outreach Programme on the Rwanda Genocide and the United Nations (Department of Public Information, March 2014). <https://www.un.org/en/preventgenocide/rwanda/pdf/Backgrounder%20R2P%202014.pdf>.

*The Responsibility to Protect (R2p) Moving the Campaign Forward* Human Rights Center Religion, Politics and Globalization Program International Human Rights Law Clinic (Berkeley University of California, October 2007). <https://www.law.berkeley.edu/wp-content/uploads/2015/04/The-Responsibility-to-Protect-R2P-October-2007.pdf>.

*The Role of Regional and Sub-Regional Arrangements in Implementing the Responsibility to Protect*. (International Coalition For The Responsibility to Protect, July 12 2011). [http://www.responsibilitytoprotect.org/FINAL%20report%20summary%202011\(2\).pdf](http://www.responsibilitytoprotect.org/FINAL%20report%20summary%202011(2).pdf).

"Thousand Protest Yanukovich Government in Independence Square." December 1 Center For Strategic & International Studies April 5 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#3>.

Tiersky, Alex, "Territorial Entry." *Commission on Security and Cooperation in Europe* 2016  
<https://www.csce.gov/issue/territorial-integrity>.

"Ukrainian Government in Kyiv, Russia React to Crimea Vote." March 6 Center For Strategic &  
International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#7>.

Ukrainian Government Responds to Protests." December 1 Center For Strategic & International  
Studies 2013. Timeline. <http://ukraine.csis.org/kyiv.htm#4>.

Ukraine Suspends Preparations for EU Trade Deal ". November 21 Center for Strategic &  
International Studies April 1 2013 Timeline <http://ukraine.csis.org/kyiv.htm#1>.

"UN Documents for Burundi." Security Council Report, accessed April 22, 2020,  
<https://www.securitycouncilreport.org/un-documents/burundi/>.

"UN Documents for Côte d'Ivoire " Security Council Report 2020, accessed February 1, 2020,  
<https://www.securitycouncilreport.org/un-documents/cote-divoire/>.

"UN Documents for Ukraine " Security Council Report accessed February 1 2020  
<https://www.securitycouncilreport.org/un-documents/ukraine/>.

"UN Documents for Yemen." Security Council Report accessed April 13, 2020,  
<https://www.securitycouncilreport.org/un-documents/yemen/>.

"UN: More Than 1,000 Civilians Killed in Syria over 4 Months ". *Aljazeera*, September 4 2019,  
<https://www.aljazeera.com/news/2019/09/1000-civilians-killed-syria-4-months-190904094645974.html>.

"United Nations Office on Genocide Prevention and the Responsibility to Protect " United Nations  
accessed March 1, 2020, 2020, <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>.

"UN Send Human Rights Monitors to Assess Situation in Ukraine." March 14 Center For Strategic & International Studies, April 5 2014. Timeline.

<http://ukraine.csis.org/crimea.htm#21>.

"US, EU Prepare Sanctions against Russia." March 6 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#8>.

U.S. House Approves Resolution Condemning Russia 402-7." March 11 Center For Strategic & International Studies, April 5 2014. Timeline. <http://ukraine.csis.org/crimea.htm#16>.

Valek, Petr. "Is Unilateral Humanitarian Intervention Compatible with the U.N. Charter?". *Michigan Journal of Law* no. 4 (2005): 1229.

<http://search.ebscohost.com/login.aspx?direct=true&db=edsggo&AN=edsgcl.141001793&site=eds-live&scope=site>.

Waltz, Kenneth N. *Man, the State, and War: A Theoretical Analysis*. New York: Columbia University Press, 2001.

Waltz, Kenneth N. *Theory of International Politics* Long Grove, IL: Waveland Press, 2010.

Washington Warns Moscow on Ukraine as Russia Withdraws Ambassador, Delays Assistance." February 23 Center For Strategic & International Studies April 5 2014. Timeline.

<http://ukraine.csis.org/kyiv.htm#12>.

Weisband, Edward. "English School and Realism ". Blacksburg: Virginia Tech, January 16 2018. Lecture.

Weisband, Edward. "Neorealism." Blacksburg: Virginia Tech, January 30 2018. Lecture.

Weisband, Edward. "Recap and Hegemony." Blacksburg: Virginia Tech January 16 2018. Lecture.

*White Book on Violations of Human Rights and the Rule of Law in Ukraine* Ministry of Foreign Affairs of the Russian Federation (Moscow Ministry of Foreign Affairs of the Russian

Federation, April 2014).

[https://www.globalsecurity.org/military/library/report/2014/ukraine-rights-whitebook\\_russia-mofa201405.pdf](https://www.globalsecurity.org/military/library/report/2014/ukraine-rights-whitebook_russia-mofa201405.pdf).

"Yanukovych Impeached, Oleksander Turchynov in as Interim President ". February 23 Center For Strategic & International Studies April 5 2014. Timeline.  
<http://ukraine.csis.org/kyiv.htm#11>.

Yanukovych Opposition Sign Settlement Agreement ". February 21 Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#9>.

"Yanukovych Reportedly Flees Kyiv, Tensions Remain." February 21. Center For Strategic & International Studies April 5 2014. Timeline. <http://ukraine.csis.org/kyiv.htm#10>.

Yoshida, Yuki, "A Theoretical Assessment of Humanitarian Intervention and R2p." *E-International Relations Students* January 16, 2013, <https://www.e-ir.info/2013/01/16/from-kosovo-to-libya-theoretical-assessment-of-humanitarian-intervention-and-the-responsibility-to-protect/>.

Ziegler, Charles. "Russia on the Rebound: Using and Misusing the Responsibility to Protect ". *SAGE journals* 30, no. 3 (September 1 2016): 346-61. <https://doi.org/10.1177>.  
<https://doi.org/10.1177/0047117816659590>.