

The Politics of Peace Enforcement

Explaining Selective UN Security Council Interventions in Atrocity Crimes, 2005–2025

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Abstract

In 2005, the world's states unanimously adopted the Responsibility to Protect (R2P). In doing so, they committed to intervene in atrocity crimes, through the United Nations (UN) Security Council, when states manifestly fail to protect their citizens and diplomacy proves ineffective. Yet, the Council's track record is poor: it has authorized coercive measures in just eight atrocity situations since. This thesis explains the selectivity of so-called "humanitarian" interventions through a novel framework distinguishing three types of conditions: *preclusive conditions* that categorically block intervention, *necessary conditions* that must be met for it to occur, and *enabling factors* that increase its likelihood but are not required. It argues that intervention is automatically precluded when a situation does not reach the Council agenda, or the perpetrator is a P5 state or nuclear power. In almost all other cases, it occurs only when a sequenced process of events unfolds: fatalities exceed 1,000, UN officials characterize the violence as atrocity crimes, and a regional organization requests or endorses intervention. These "trigger" events produce two forms of consensus—that the violence constitutes a threat to international peace and security, and that peaceful means are inadequate—necessary for a majority of Council members, including all the P5, to support or permit coercive action. Importantly, such agreement is contingent on an additional constraint: the perpetrator state must lack a P5 ally. Absent any one of these conditions, the decision-making process stalls, resulting in inaction. These claims are tested through case study analysis, examining three positive cases—Côte d'Ivoire (2011), Libya (2011), and Sudan (2006)—and three negative ones, Syria (2011), Myanmar (2017), and Kenya (2008). The findings suggest that while interventions in atrocity crimes are not random, they require a rare convergence of material, institutional, and political conditions, helping to explain why they remain exceptional events in international relations. The findings also reveal how regional organizations shape the political viability of external intervention in state-led atrocities.

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Abbreviations

ASEAN	Association of Southeast Asian Nations
AU	African Union
ECOWAS	Economic Community of West African States
EU	European Union
GCC	Gulf Cooperation Council
ICC	International Criminal Court
ICRC	International Committee of the Red Cross
ICJ	International Court of Justice
IR	International relations
LAS	League of Arab States
NGO	Non-governmental organization
NATO	North Atlantic Treaty Organization
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OIC	Organisation of Islamic Cooperation
P3	France, the United Kingdom, and the United States
P5	China, France, Russia, the United Kingdom, and the United States
POC	Protection of Civilians
R2P	Responsibility to Protect
UN	United Nations
UNGA	United Nations General Assembly
UNSC	United Nations Security Council
WSOD	2005 World Summit Outcome Document

Chapter 1

Introduction

“If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that affect every precept of our common humanity?”

– Kofi Annan, 2000

1.1 The Puzzle of Selective UN Interventions in Atrocity Crimes

At the 2005 World Summit, the United Nations (UN) General Assembly unanimously adopted the World Summit Outcome Document (WSOD), including a section titled the “Responsibility to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.”¹ By doing so, all UN member states accepted their responsibility to protect their own citizens or populations within their borders, including refugees and prisoners of war, from these four atrocity crimes that “shock the conscience of humanity.”² They also committed to using “appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations”³ globally. However, should national authorities “manifestly fail” to protect their citizens and peaceful means prove “inadequate,” states declared their readiness to take “collective action, in a timely and decisive

¹ United Nations General Assembly (UNGA), *2005 World Summit Outcome*, A/RES/60/1, September 16, 2005, para. 138–139,

https://www.un.org/en/development/desa/population/migration/generalassembly/docs/globalcompact/A_RES_60_1.pdf.

² *Rome Statute of the International Criminal Court*, July 17, 1998, 2187 UNTS 90, <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>.

³ UNGA, *2005 World Summit Outcome*, para. 139.

manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis.”⁴

Adopted on the heels of the horrors of Rwanda and Srebrenica, the Responsibility to Protect (R2P) was forged as a solution to the impasse of the 1990s over how the international community should respond to mass atrocities. At the time of its adoption, the norm was widely seen as reflecting a burgeoning “politics of protection”⁵ within the UN Security Council, the supreme global body responsible for maintaining international peace and security. This growing commitment to protection, Alex Bellamy and Paul Williams observed in 2011, became evident in the twenty-first century in proactive responses by the Council to large-scale violence against civilians that would have been inconceivable a decade prior, such as deliberately framing crises as “human protection”⁶ problems and authorizing military force to protect civilians.⁷ In particular, the Council’s actions in Côte d’Ivoire and Libya in 2011, where it swiftly intervened to stop spiraling killings, were considered the crescendo of this new commitment to protecting vulnerable populations embodied by R2P.

What is remarkable about R2P as a framework for responding to mass atrocities is the international consensus that underpins it.⁸ By adopting the WSOD, the world’s states unanimously agreed that the responsibility to protect applies “everywhere, all the time.”⁹ While some states—notably Venezuela, Cuba, and North Korea—have since openly criticized R2P, the norm continues to command broad international support: in 2017, 113 states from every region

⁴ Ibid.

⁵ Alex J. Bellamy and Paul D. Williams, “The New Politics of Protection? Côte d’Ivoire, Libya and the Responsibility to Protect,” *International Affairs* 87, no. 4 (2011): 825–850.

⁶ Ban Ki-moon, “Cyril Foster Lecture at Oxford University: ‘Human Protection and the 21st Century United Nations’,” *United Nations*, February 2, 2011, <https://www.un.org/sg/en/content/sg/speeches/2011-02-02/cyril-foster-lecture-oxford-university-human-protection-and-21st>.

⁷ Bellamy and Williams, “The New Politics of Protection,” 847.

⁸ Alex J. Bellamy, *The Responsibility to Protect: A Defense* (Oxford: Oxford University Press, 2014), 4.

⁹ Ibid., 12.

of the world voted to include R2P as a regular agenda item in the General Assembly.¹⁰ The Security Council’s permanent members (P5) also appear to support, or at least do not directly contest, R2P’s underlying idea—that preventing identity-based mass violence is a global responsibility.¹¹ Today, no P5 member categorically rejects the body’s right to scrutinize how populations are treated within national borders and potentially take action. This marks a shift from the previous century, when the Council had almost no perceived authority over states’ “internal” affairs.¹²

Alongside R2P, other factors have reshaped expectations in the twenty-first century regarding how the Security Council should respond to atrocity crimes. Most notably, the birth of the Protection of Civilians (POC) agenda and of international criminal law have helped to create an “international human protection regime”¹³—an “ecosystem” of laws, norms, and institutions designed to protect people from mass violence—that enables the body to respond more swiftly and decisively to atrocity crimes. In 1999, the Council adopted POC on its agenda through Resolution 1265, recognizing civilian harm in war as a matter of international peace and security for the first time.¹⁴ POC has since become a “core”¹⁵ agenda item, helping to foster what the UN Office for the Coordination of Humanitarian Affairs (OCHA) calls a “culture of protection”¹⁶ within the Council and among UN member states.¹⁷

¹⁰ Jennifer Welsh, “Norm Robustness and the Responsibility to Protect,” *Journal of Global Security Studies* 4, no. 1 (2019): 53.

¹¹ Welsh, “Norm Robustness,” 6.

¹² Alex J. Bellamy, “The UN Security Council and the Problem of Mass Atrocities,” in *Global Insecurity: Futures of Global Chaos and Governance*, ed. Anthony Burke and Rita Parker (London: Palgrave Macmillan, 2017), 313.

¹³ Bellamy, “Problem of Mass Atrocities,” 311.

¹⁴ United Nations Security Council (UNSC), S/RES/1265, September 17, 1999, [https://docs.un.org/S/RES/1265\(1999\)](https://docs.un.org/S/RES/1265(1999)).

¹⁵ UNSC, S/PRST/2015/23, November 13, 2015, <https://docs.un.org/S/PRST/2015/23>, para. 4; UNSC, S/PRST/2018/18, September 21, 2018, <https://docs.un.org/S/PRST/2018/18>, para. 1.

¹⁶ United Nations Office for the Coordination of Humanitarian Affairs, *Building a Culture of Protection: 20 Years of Security Council Engagement on the Protection of Civilians* (May 2019).

¹⁷ This “culture” manifests in various concepts and practices, such as demanding compliance with international law, mandating peacekeeping missions to protect civilians, and promoting accountability for international law and human

In fact, since the 1990s, the Security Council has not only advanced the POC agenda but helped pioneer the field of international criminal justice. Over the past three decades, the Council has called for multiple investigations into alleged atrocity crimes and established ad hoc international and hybrid criminal courts, helping to pave the way for the creation of the International Criminal Court (ICC) in 2002.¹⁸ The ICC, the world's first permanent court for prosecuting individuals charged with atrocity crimes, has since received two Security Council referrals.¹⁹ Although its deterrent effects are hard to assess, the Council's role in the codification and progressive development of international criminal law has at least established an expectation that atrocity crimes should not go unpunished.

Overall, it has clearly become increasingly difficult over the past two decades for the Security Council to avoid addressing mass atrocities altogether, as it often did in the twentieth century. In many ways, the Council itself has helped "mainstream" atrocity prevention as a policy priority within its chambers and across the UN system. Yet, despite the body's institutional commitments to protection and broad expectations that it should act, Security Council interventions in atrocity crimes remain highly selective. If the 2011 interventions in Côte d'Ivoire and Libya appeared to be a watershed moment for R2P, they have proven to be exceptions, rather than the rule. As Table A1 shows, between January 2006 and December 2025, at least 223 documented cases of mass one-sided violence against civilians occurred globally.²⁰

rights violations. See Jenna Russo and Evan Cinq-Mars, "POC20: Twenty Years of the Protection of Civilians," Center for Civilians in Conflict, September 25, 2019, 3, https://civiliansinconflict.org/wp-content/uploads/2020/12/Final_POC20-Report_CIVIC_September2019.pdf; Alex J. Bellamy, "The Humanisation of Security? Towards an International Human Protection Regime," *European Journal of International Security* 1, no. 1 (2016): 121.

¹⁸ The Security Council has authorized investigations in response to allegations of atrocity crimes in Sudan (2005) and Libya (2011). It has also set up ad hoc courts or tribunals for the former Yugoslavia (1993), Rwanda (1994), Sierra Leone (2002), Cambodia (2003), and Lebanon (2007).

¹⁹ Specifically, Sudan (2005) and Libya (2011).

²⁰ See Table A1 in the appendix. As discussed on page 11, I define "mass" one-sided violence as cases where more than 100 unarmed civilians were killed by government or organized armed actors.

Yet, the Council authorized enforcement measures in only eight of these cases: Sudan (2006), Côte d'Ivoire (2011), Libya (2011), the Democratic Republic of the Congo (2013), Mali (2014), the Central African Republic (2014), South Sudan (2016), and Haiti (2025).²¹

The Security Council has thus refrained from intervening in atrocity crimes since 2005 far more often than it has acted, making it difficult to claim, as R2P's creators hoped, that collective action would become the norm. To the contrary, Council *inaction* has become the predominant response, contributing to deep skepticism about its ability to uphold collective security and the international rule of law.²² Criticism of the Council mounted sharply in 2011 over its failure to intervene in mass atrocities during Syria's civil war and intensified with its subsequent inaction in Myanmar's 2017 Rohingya crisis and the Tigray conflict in Ethiopia in 2021, both of which led to genocide allegations.²³ In recent years, these doubts have only grown with the wars in Ukraine and Gaza, where the Council has failed to authorize any measures to protect civilians, despite ICC referrals concerning both and a genocide case against Israel at the International Court of Justice (ICJ).²⁴

The selectivity of Security Council interventions in atrocity crimes since the adoption of R2P is the central puzzle of this thesis. I seek to answer the following questions: under what conditions does the Security Council take collective action in response to atrocity crimes? Why

²¹ See Table A1.

²² Oona A. Hathaway and Steward Patrick, "Can the UN Security Council Still Help Keep the Peace?" *Carnegie Endowment for International Peace*, July 2, 2024, <https://carnegieendowment.org/posts/2024/07/can-un-security-council-still-help-keep-the-peace?lang=en>.

²³ International Court of Justice, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, Case No. 178, <https://www.icj-cij.org/case/178>; United States Holocaust Memorial Museum, "Risk of Genocide and other Mass Atrocities in Ethiopia," December 22, 2021, <https://www.ushmm.org/genocide-prevention/blog/risk-of-genocide-ethiopia>.

²⁴ International Criminal Court, "State of Palestine," <https://www.icc-cpi.int/palestine>; International Criminal Court, "Ukraine," <https://www.icc-cpi.int/situations/ukraine>; International Court of Justice, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Case No. 186, <https://www.icj-cij.org/case/186>.

does it intervene in some atrocity situations but not others, despite recognizing that the responsibility to protect applies everywhere, all the time? And through what process do these conditions produce collective decisions to intervene?

1.2 Definitions and Scope

Defining “Collective Action”

I establish several scope conditions to examine these questions. First, it is important to clarify the meaning of “collective action.” R2P is widely understood to consist of three pillars of responsibility: pillar one applies to governments, while pillars two and three apply to the broader international community. These pillars have been defined as follows:

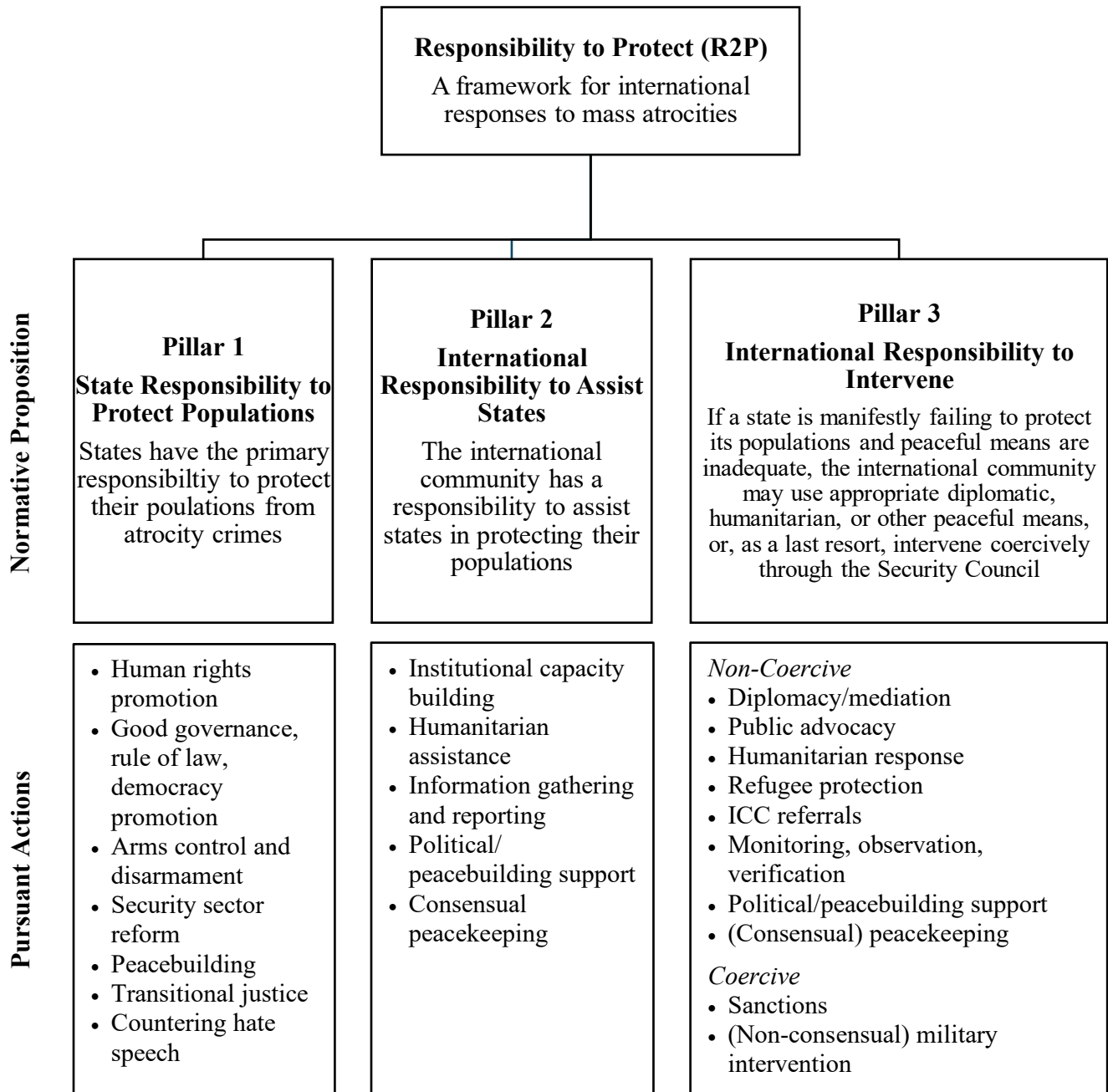
the responsibility of each State to protect its populations (Pillar I); the responsibility of the international community to assist States in protecting their populations (Pillar II); and the responsibility of the international community to protect when a State is manifestly failing to protect its populations (Pillar III).²⁵

In other words, pillar one concerns the protection responsibilities of governments, pillar two focuses on preventive international assistance and capacity-building, and pillar three entails timely and decisive international action once atrocities occur or may imminently occur.²⁶

²⁵ UNGA, *Implementing the Responsibility to Protect: Report of the Secretary-General*, A/63/677, January 12, 2009, <https://docs.un.org/en/A/63/677>, 2; Ivan Šimonović, “The Responsibility to Protect,” *UN Chronicle* 53, no. 4 (December 2016), <https://www.un.org/en/chronicle/article/responsibility-protect>.

²⁶ A/63/677, 2.

Figure 1.1 The Constitutive Elements of the Responsibility to Protect (R2P) Norm



The Security Council has range of tools at its disposal to respond to the threat or commission of atrocity crimes, including **non-coercive**, **coercive**, **non-military**, and **military** measures.²⁷ These tools correspond to different pillars of R2P. Under Chapters VI (Pacific Settlement of Disputes) and VIII (Regional Arrangements) of the UN Charter, the Council can authorize **non-coercive, non-military measures** such as human rights investigations (i.e., commissions of inquiry or fact-finding missions) and monitoring or observer missions.²⁸ It can also support diplomacy and mediation efforts by facilitating peace negotiations, or assist in political and peacebuilding processes by deploying peacekeepers.²⁹ Additionally, under Chapter VII (Action with Respect to Threats to the Peace), the Council has the authority to refer situations to the ICC. These actions fall under pillar two and what Bellamy calls “pillar 3a” of R2P: encouraging or assisting states in meeting their responsibility to protect, and responding to atrocities using “diplomatic, humanitarian, and other peaceful means.”³⁰

When peaceful tools are inadequate and states are “manifestly failing” to protect their populations, paragraph 139 of the WSOD states that the international community is prepared to take “collective action” through the Security Council. I call this “pillar 3b.” While the WSOD leaves the meaning vague, former UN Secretary-General Ban Ki-moon has interpreted this provision of R2P as allowing the Council to authorize coercive measures under Articles 41 and

²⁷ See: Alex J. Bellamy, *Peaceful Means in the Third Pillar of the Responsibility to Protect*, Policy Analysis Brief No. 116 (Stanley Center for Peace and Security, December 2015), <https://stanleycenter.org/publications/pab/Bellamy3rdPillarPAB116.pdf>; https://r2pasiapacific.org/files/10183/R2P_Framework2023_FinalDigital.pdf; Asia-Pacific Centre for the Responsibility to Protect and Global Centre for the Responsibility to Protect, *A Framework for Action for the Responsibility to Protect: A Resource for States* (Brisbane: Asia-Pacific Centre for the Responsibility to Protect, 2023), https://r2pasiapacific.org/files/10183/R2P_Framework2023_FinalDigital.pdf; Cecilia Jacob, *Mainstreaming Atrocity Prevention: Foreign Policy and Promotion of Human Rights for Atrocity Prevention*, Policy Brief (Oxford Institute for Ethics, Law and Armed Conflict, November 2022), https://www.elac.ox.ac.uk/wp-content/uploads/2022/11/ELAC-Policy-Brief_Mainstreaming-Atrocity-Prevention.pdf.

²⁸ Bellamy, *Peaceful Means in the Third Pillar*, 2015.

²⁹ Ibid.

³⁰ Ibid.

42 of Chapter VII, also known as peace enforcement measures.³¹ Sanctions, which fall under Article 41, include arms embargoes, asset freezes, and travel bans.³² Under Article 42, the Council can authorize the use of force by a member state coalition, regional organization, or UN peacekeeping mission, including establishing a no-fly zone, deploying troops, or conducting a full-scale military operation.³³

On this basis, the thesis defines “collective action,” or intervention, by the Security Council as adopting a Chapter VII resolution authorizing enforcement measures under Articles 41 or 42.³⁴ Notably, intervention is often understood more broadly (both colloquially and within academic literature) as the use of any of the measures above, whether non-coercive or coercive. In other words, humanitarian assistance, mediation, and peacekeeping are also often described as forms of “intervention.” However, because paragraph 139 calls for collective action “*should peaceful means be inadequate*,”³⁵ I interpret intervention as excluding consensual tools. Put simply, the WSOD suggests that collective action *surpasses* initial efforts to use “diplomatic, humanitarian and other peaceful means,” meaning that it entails coercion. At the same time, intervention can be interpreted narrowly as solely the use of force. Some analysts view “peaceful means” as encompassing all non-military measures, including sanctions, which makes collective action synonymous with military intervention.³⁶ However, in line with Ban Ki-moon, I understand the term to include the use of sanctions as well as of military force.

³¹ United Nations Secretary-General, *Responsibility to Protect: Timely and Decisive Response*, A/66/874, July 25, 2012, paras. 31–32, <https://docs.un.org/A/66/874>.

³² Ibid.

³³ Ibid.

³⁴ Notably, a Security Council resolution does not need to explicitly invoke Chapter VII to be binding. See: Security Council Report, *Security Council Action Under Chapter VII: Myths and Realities*, Special Research Report (June 23, 2008), <https://www.securitycouncilreport.org/research-reports/lookup-c-glkwlemtisg-b-4202671.php>.

³⁵ A/RES/60/1, para. 139. Emphasis added.

³⁶ Measures that do not involve the use of force might be considered “peaceful.” Simon Adams (2016), for instance, refers to sanctions as “coercive but peaceful.”

Notably, I make two exceptions to this definition. First, I exclude Chapter VII resolutions that renew the mandate of a peacekeeping mission or a sanctions regime without altering it. Such renewals, while technically adopted under Articles 41 and 42, represent the Council’s “regular work” rather than timely and decisive responses to escalating violence. Likewise, I exclude resolutions that increase the size of a UN peacekeeping mission without changing its mandate. These resolutions can signal preparations for offensive action, but do not constitute targeted interventions to atrocity crimes—the outcome of interest for this thesis.

Identifying the Relevant Universe of Cases

In addition to defining collective action, it is important to clarify the relevant universe of cases. This task is complicated by the lack of a universal definition of a “mass atrocity,” with scholars and policy actors often considering different events to meet this threshold. Moreover, labeling an event an “atrocity *crime*” can be both a legal claim and a political act and is often contested by perpetrators and their allies, especially before a judicial ruling.³⁷ From Sudan to Syria, Russia, and Israel, governments accused of atrocity crimes routinely reject such characterizations, while allied states resist them due to political sensitivities. Still, it is possible to establish a common standard that reasonably satisfies most observers.

“Mass atrocities”³⁸ are typically defined as the four crimes listed in the SOD: genocide, war crimes, crimes against humanity, and ethnic cleansing.³⁹ Genocide, war crimes, and crimes against humanity are legally defined international crimes, and while ethnic cleansing is not, it

³⁷ For example, Colin Powell’s declaration of genocide in Darfur in 2004 was considered controversial.

³⁸ This thesis uses the terms “mass atrocity crimes,” “atrocity crimes,” “mass atrocities,” and “atrocities” interchangeably.

³⁹ Scott Straus, “What Is Being Prevented? Genocide, Mass Atrocity, and Conceptual Ambiguity in the Anti-Atrocity Movement,” in *Reconstructing Atrocity Prevention*, ed. Sheri P. Rosenberg, Tibi Galis, and Alex Zucker (Cambridge: Cambridge University Press, 2015), 17.

includes acts that can amount to one of the main crimes.⁴⁰ This thesis eschews legal definitions of atrocity crimes, which require assessing a perpetrator’s mental state and are overly restrictive for social science inquiry. Instead, based on Scott Straus’s (2015) scholarship, it defines a mass atrocity as an episode of “large-scale, systematic violence against civilian populations.”⁴¹ This means that the violence is organized, widespread, and sustained across time and space.⁴² While no numerical threshold exists for a “mass” atrocity, scholars frequently classify it as one-sided violence resulting in at least 1,000 civilian deaths within a one-year period.⁴³ I adopt a lower threshold of 100 deaths to capture both ongoing mass atrocities *and* situations of escalating risk.⁴⁴ I also count forms of violence beyond killing, including torture, starvation, population removal, and rape or other types of sexual violence.

Based on this definition, I restrict the relevant universe of cases to mass atrocities that have occurred since September 2005, when the WSOD was adopted. This is both because a study attempting to cover all cases of mass atrocities globally since 1945 would be unwieldy, and because the theory advanced is contextually bounded by the international normative environment following R2P’s adoption. Whereas prior to 2005, R2P was an emerging idea in international relations (IR), the WSOD institutionalized the norm that the Security Council should, under certain conditions, intervene in atrocity crimes, creating comparatively stable expectations that it should act. While I do not focus exclusively on R2P as a causal explanation, I aim to theorize the

⁴⁰ United Nations, *Framework of Analysis for Atrocity Crimes: A Tool for Prevention* (New York: United Nations, 2014), 1, <https://www.ohchr.org/sites/default/files/2021-11/Genocide-Framework-of-Analysis-English.pdf>.

⁴¹ Straus, “What Is Being Prevented?” 17.

⁴² *Ibid.*

⁴³ For example: Early Warning Project, “Definitions,” United States Holocaust Memorial Museum, <https://earlywarningproject.ushmm.org/definitions>; Stephen Ulfelder and Benjamin Valentino, “Assessing Risks of State-Sponsored Mass Killing,” SSRN Scholarly Paper (Rochester, NY: Social Science Research Network, June 1, 2010), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1703426;

⁴⁴ See Table A1. This approach follows Alex Bellamy’s logic in: Alex J. Bellamy, “The Responsibility to Protect: Added Value or Hot Air?” *Cooperation and Conflict* 48, no. 3 (September 2013): 333–57.

conditions under which the Security Council intervenes in atrocity crimes within this new normative context.

1.3 Justification of the Study

Can the Security Council Still “Keep the Peace”?

Twenty years after the adoption of R2P, the selectivity of Security Council interventions in atrocity crimes remains a highly contentious issue in international affairs. When the Council refrains from or fails to act in atrocity situations, it faces strong criticism from governments, the media, and ordinary citizens for double standards in its willingness to uphold international peace and security and the rule of law.⁴⁵ The General Assembly’s 2012 condemnation of the Council for inaction in Syria was a striking example of global censure over the body’s failure to adequately respond to atrocity crimes.⁴⁶ More recently, gridlock within the Council over atrocities in Ukraine and Gaza has intensified criticism of the body and deepened its crisis of legitimacy.⁴⁷

This nexus is not coincidental. Research has shown that Security Council gridlock, amplified by but present long before Ukraine and Gaza, is closely tied to the issue of atrocity crimes.⁴⁸ Markedly since 2011, the world’s three major powers—China, Russia, and the United States—have consistently used or threatened the veto to block action in response to state-led

⁴⁵ Bellamy, “The Problem of Mass Atrocities,” 311.

⁴⁶ United Nations Press, “General Assembly Adopts Resolution Strongly Condemning ‘Widespread and Systematic’ Human Rights Violations by Syrian Authorities,” February 16, 2012, <https://press.un.org/en/2012/ga11207.doc.htm>.

⁴⁷ Hathaway and Patrick, “Can the Security Council Still Help Keep the Peace?”

⁴⁸ Federica D’Alessandra, “Conceptualizing Great Power Perpetrators,” *Genocide Studies and Prevention: An International Journal* 18, no. 1 (2024): 152–57, <https://doi.org/10.5038/1911-9933.18.1.1949>.

atrocities, including in Syria, Myanmar, Ukraine, Gaza, and elsewhere.⁴⁹ In fact, nearly every veto cast over the past decade has directly or indirectly concerned an atrocity situation.⁵⁰ Aside from a 2024 veto by Russia on the prevention of an arms race in space; 2024 and 2022 Chinese and Russian vetoes against measures targeting North Korea; a 2021 Russian veto to block consideration of climate-related security risks; and a 2020 US veto on the return of foreign fighters, all other thirty-eight vetoed situations since 2011 involved atrocity crimes.⁵¹ As I have argued with Federica D'Alessandra, this pattern suggests that contestation over the application of international law and norms is a key driver of the Council's crisis of multilateralism.⁵²

Understanding the conditions under which the Security Council intervenes in atrocity crimes is therefore significant for assessing its legitimacy and future role in collective security. If international, and especially P5, diplomatic breakdowns occur most often over responding to such crimes, explaining why and when the Council *does* intervene can shed light on how states find areas of consensus on contentious issues.⁵³ In turn, this knowledge can inform efforts by scholars, policymakers, and practitioners to foster these conditions. That being said, if the thesis concludes that the conditions for consensus are difficult to influence or replicate, meaning collective action will likely remain “permanently selective,”⁵⁴ this would support calls for states and civil society to shift atrocity prevention efforts to other institutions, including UN bodies

⁴⁹ See: United Nations Dag Hammarskjöld Library, “UN Security Council Meetings & Outcomes Tables,” <https://research.un.org/en/docs/sc/quick>.

⁵⁰ D'Alessandra, “Conceptualizing Great Power Perpetrators, 155–156.

⁵¹ Ibid. Collectively, China, Russia, and the United States have cast vetoes across forty-three instances between 2011 and 2025, thirty-eight of which directly or indirectly concerned situations of atrocity crimes: the Occupied Palestinian Territories, Syria, Yemen, Sudan/South Sudan, Mali, Bosnia and Herzegovina, Ukraine, Venezuela, and North Korea. The vast majority related to Palestine, Syria, or Ukraine.

⁵² Federica D'Alessandra and Gwendolyn Whidden, “Whither Atrocity Prevention at the UN? Look Beyond R2P and the Security Council,” The Stimson Center, November 6, 2023, <https://www.stimson.org/2023/whither-atrocity-prevention-at-the-un-look-beyond-r2p-and-the-security-council/>.

⁵³ Hathaway and Patrick, “Can the UN Security Council Still Help Keep the Peace?”

⁵⁴ Aidan Hehir, “The Permanence of Inconsistency: Libya, the Security Council, and the Responsibility to Protect,” *International Security* 38, no. 1 (2013): 137–159, <https://www.jstor.org/stable/24480572>.

such as the ICJ and General Assembly, regional organizations, and national governments.⁵⁵ More broadly, such findings would call for moderating expectations about the Council's ability to manage collective security crises and accelerating discussions on the role of other multilateral arrangements in "keeping the peace."⁵⁶

The Future of Atrocity Prevention

Beyond undermining its own legitimacy, the Security Council's poor record on atrocity prevention has led to a perception that R2P, one of the century's most significant conceptual developments in IR, has "failed." Critics often describe R2P as a "dead" norm, particularly after NATO's controversial 2011 intervention in Libya, citing the Council's inaction in numerous atrocity situations since as evidence.⁵⁷ Today, R2P is rarely invoked in respect of atrocity crises, suggesting that its validity has declined, or, at least, that states and civil society doubt the utility of invoking it to galvanize action.⁵⁸

If this view holds merit, it overlooks a more nuanced reality. Despite R2P's controversies, collective action, which is "notoriously difficult"⁵⁹ to achieve in most policy areas, *has* occurred eight times since 2005. This arguably indicates heightened international responsiveness to atrocity crimes compared to the twentieth century and challenges the assumption that R2P has had little impact on state behavior. If R2P has truly had no effect, the

⁵⁵ Ibid.

⁵⁶ Hathaway and Patrick, "Can the UN Security Council Still Help Keep the Peace?"

⁵⁷ David Chandler, "The R2P Is Dead, Long Live the R2P: The Successful Separation of Military Intervention from the Responsibility to Protect," *International Peacekeeping* 22, no. 1 (2015): 1–5, <https://doi.org/10.1080/13533312.2014.992572>; Adrian Gallagher, "Farewell the Responsibility to Protect? False Death, Grave Crisis, Future Opportunities," *International Affairs* 101, no. 2 (March 2025): 483–500; Mina al-Oraibi, "Responsibility to Protect' Is One More Casualty of the Syrian War," *Foreign Policy*, June 14, 2021, <https://foreignpolicy.com/2021/06/14/syria-war-un-security-council-responsibility-to-protect-r2p-humanitarian-intervention-assad-russia-human-rights-civilians/>.

⁵⁸ D'Alessandra and Whidden, "Whither Atrocity Prevention?"

⁵⁹ Ibid.; Welsh, "Norm Robustness," 57.

repeated authorization of coercive measures in response to large-scale violence against civilians, with nearly every instance this century occurring after R2P’s adoption, is puzzling.

This discrepancy between perceptions of R2P as an uninfluential norm and the empirical record suggesting some behavioral impact highlights a gap in understanding of the norm’s influence. A systematic study of the conditions under which the Security Council intervenes can clarify why collective action remains selective, even if R2P enjoys wider support than is commonly assumed. At the same time, if the findings indicate that R2P does not strongly influence state behavior and that other factors drive intervention decisions, this would lend support to the growing shift within the atrocity prevention field away from R2P as a framing tool for motivating action.⁶⁰

1.4 Argument

Table 1.1 Theory of UNSC Intervention in Atrocity Crimes: Summary

Causal Role	Causal Directness	Condition	Scope of Applicability
Preclusive	<i>Underlying</i>	Non-inclusion on the agenda	
		P5 perpetrator status	
		Global or nuclear power status	Military intervention, state actors
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	
		UN atrocity characterization	
		Regional request for/endorsement of intervention	Military intervention
		Target state consent for intervention	Military intervention, non-state actors
	<i>Underlying</i>	Absence of P5 alignment	

⁶⁰ D’Alessandra and Whidden, “Whither Atrocity Prevention?”

		Recognition of an international peace and security threat	
		Consensus on failure of non-coercive means	Military intervention
Enabling	<i>Proximate</i>	Secretary-General request for intervention	
	<i>Underlying</i>	R2P strength	
		Perpetrator military strength	Military intervention
		Rapid response capabilities	Military intervention

To explain the conditions under which the Security Council intervenes in atrocity crimes, the thesis advances an inductively derived explanatory framework consisting of **preclusive conditions**, **necessary conditions**, and **enabling factors**. It argues that, together, these factors and conditions are almost always jointly sufficient for intervention, meaning they lead to intervention in the vast majority cases, though exceptions are possible.⁶¹ The framework provides a “complete” causal explanation of intervention, identifying all key conditions that are individually necessary and jointly sufficient, rather than focusing solely on one important condition.⁶² I adopt this approach because intervention decisions are complex, multicausal outcomes that cannot be explained by a single cause. Moreover, many causal effects depend on the interaction between different conditions, meaning the presence or absence of one condition can amplify or inhibit the impact of another. I therefore favor comprehensiveness over concision, presenting a range of causal conditions. Nonetheless, I maintain parsimony by categorizing them according to their **causal necessity** (role in producing the outcome), **causal directness** (proximity to the outcome), and **scope of applicability** (i.e., to cases of sanctions or military force, or to those involving either state or non-state perpetrators).

⁶¹ See Chapter 2 for an extended discussion.

⁶² Gary Goetz and Jack S. Levy, “Causal Explanation, Necessary Conditions, and Case Studies,” in *Explaining War and Peace: Case Studies and Necessary Conditions*, ed. Gary Goetz and Jack S. Levy (New York: Routledge, 2008), 16.

The preclusive conditions outlined determine whether intervention is theoretically possible. In other words, these are conditions whose presence effectively makes the probability of intervention occurring zero. Unlike scope conditions, which determine a theory's applicability to a given case, preclusive conditions are actual *causes* of non-occurrence and should be specified in causal theories. I argue that three preclusive conditions—institutional, political, and material in nature, respectively—determine the theoretical possibility of Security Council intervention in atrocity situations.

First, **(1) a situation must be placed on the Security Council agenda.** If a crisis does not reach the agenda, logically, the Council cannot authorize measures in response. Some atrocity situations never reach the agenda because they remain lower scale, occur in peacetime and are viewed as domestic human rights or security matters, do not receive media attention, or are never raised to the Council by the Secretary-General, member states, or civil society. For instance, Nicaragua has never reached the international agenda, despite an escalation of alleged crimes against humanity since 2018.⁶³ Furthermore, P5 states who are perpetrating atrocities or seek to shield an ally can block situations from reaching the agenda through back-door diplomacy and threatening a veto, as China has done in the cases of Xinjiang and North Korea.⁶⁴

This highlights a second preclusive condition for intervention: **(2) the perpetrators must not be a P5 state.** The reason is straightforward—P5 states, as veto-wielding members of the Security Council, can block any resolution targeting themselves. The third and final preclusive condition, applicable in cases of military intervention against state perpetrators, concerns

⁶³ Global Centre for the Responsibility to Protect, “Nicaragua,” updated March 14, 2025, <https://www.globalr2p.org/countries/nicaragua/>.

⁶⁴ Michelle Nichols, “China Opposes UN Security Council Meeting on North Korea Rights,” *Reuters*, August 14, 2023, <https://www.reuters.com/world/asia-pacific/china-opposes-un-security-council-meeting-north-korea-rights-2023-08-14/>; Emma Farge, “U.N. Body Rejects Debate on China’s Treatment of Uyghur Muslims in Blow to West,” *Reuters*, October 6, 2022, <https://www.reuters.com/world/china/un-body-rejects-historic-debate-chinas-human-rights-record-2022-10-06/>.

countervailing military power: **(3) the target state must not be a global or nuclear power.**⁶⁵

There are no exact thresholds for assessing state military strength, which depends on a variety of factors such as defense spending, the size and training of a country's armed forces, combat readiness, and force projection capabilities. It can also be a matter of perception rather than material fact. In other words, a state's *perceived* ability to defend itself or project force, rather than a specific number of troops or weapons, is often what deters would-be interveners.

Accordingly, the practical approach adopted is to exclude great powers (China, Russia, and the United States) and all other nuclear-armed states (France, the United Kingdom, India, Pakistan, North Korea, and Israel) from the theoretical possibility of military intervention.⁶⁶ Given their conventional strength (with the exception of North Korea) and the risk of nuclear escalation, it is virtually inconceivable that international forces would ever target these states.

Together, these preclusive conditions exclude a significant number of the cases in Table A1 from the theoretical possibility of intervention. In some instances, atrocity crimes were perpetrated by a P5 state, such as in Xinjiang and Ukraine. For diverse reasons, many other situations simply never reached the Security Council agenda, from Sri Lanka to Thailand, Nigeria, Cameroon, Iran, India, Pakistan, Burkina Faso, Colombia, Mexico, and Nicaragua.

The question, then, is why intervention has occurred in only a handful of the remaining cases. To explain this selectivity, I identify a set of **necessary conditions** that are jointly sufficient for intervention, as well as **enabling factors** that facilitate decisions to intervene.

Necessary conditions must be present for intervention to occur—meaning without them,

⁶⁵ David Elliott, "What Are Middle Powers and Why Do They Matter?" *World Economic Forum*, January 26, 2024, <https://www.weforum.org/stories/2024/01/middle-powers-multilateralism-international-relations/>.

⁶⁶ Anthony H. Cordesman, "Ranking the World's Major Powers: A Graphic Comparison of the United States, Russia, China, and Other Selected Countries," Center for Strategic and International Studies, May 16, 2022, <https://www.csis.org/analysis/ranking-worlds-major-powers-graphic-comparison-united-states-russia-china-and-other>; International Campaign to Abolish Nuclear Weapons (ICAN), "Nuclear Weapons in Current Arsenals," https://www.icanw.org/nuclear_arsenals/.

intervention almost never happens—whereas enabling factors increase its likelihood but are not strictly required. I further divide these causes into two categories: **underlying and proximate causes**. Underlying causes are background or contextual conditions that are necessary for intervention but do not directly trigger it, whereas proximate causes act as “catalysts” that propel the decision-making process toward intervention. Finally, for each condition, I differentiate between the types of measures authorized and the perpetrators they target. Certain conditions apply exclusively to either sanctions or military force, while others depend on whether the perpetrators are state or non-state actors.

I argue that the Security Council intervenes in response to *state-led* atrocity crimes when three triggers occur in succession, reflecting material, institutional, and political dynamics, respectively: **(1) large-scale violence against civilians escalates during armed conflict; (2) senior UN officials or a UN investigation characterize the violence as potential atrocity crimes and/or determine that crimes are occurring; and (3) a regional organization requests international intervention**. When the perpetrators are *non-state actors*, a fourth trigger is required: **(4) a request for international assistance from the target state**.

These trigger events produce two forms of consensus necessary for at least nine members of the Security Council, including all the veto-wielding P5, to support—or at least permit—intervention measures. Such consensus consists of shared interpretations about the nature of the violence and the legitimacy of coercive action as a means of addressing it. First, **(1) Council members must recognize a situation as a threat to international peace and security**. This condition serves as a gatekeeping step in the decision-making process: if the Council does not recognize a situation as a threat to the peace under Article 39 of the UN Charter, it falls outside the body’s peace and security mandate, complicating the legal basis for enforcement action.

While it may seem to be given that atrocity situations constitute such a threat, designating them as such is far from straightforward. Some crises are never recognized as threats to the peace because a P5 member seeks to block action, as China and Russia have done in Myanmar and Ethiopia, or due to “genuine” disagreement about whether lower scale violence qualifies, as in the case of Zimbabwe in 2008.

Second, **(2) Security Council members must agree that non-coercive measures are inadequate to halt the violence.** This requirement aligns with R2P’s pillar 3b component, based on the international legal norm that coercion must be a last resort. In cases of *state perpetrators* of atrocity crimes, consensus that peaceful means are failing almost always solidifies after a regional organization requests international intervention, signaling that coercive action is a politically appropriate course of action. In cases where the perpetrators are *non-state armed groups*, agreement only consolidates when the target state itself requests international assistance.

Crucially, whether these forms of consensus emerge depends on a final constraint: **(3) a P5 state must not align with the perpetrators.** P5 members—especially China, Russia, and the United States—almost always shield states with which they maintain close forms of political, economic, and security cooperation, or where they have broader strategic interests in blocking intervention. Significantly, their main strategies are to contest claims that violence amounts to atrocity crimes (and therefore constitutes a threat to the peace), and to argue that diplomatic means have not yet been fully exhausted, thereby blocking the consensus necessary to authorize collective security measures. When such alignment exists, the decision-making process typically breaks down, making intervention highly unlikely.

In sum, the thesis contends that this sequenced process of events and the forms of consensus it produces are almost always jointly sufficient for the Security Council to intervene in

atrocities, provided the preclusive conditions do not apply, and the perpetrators lack a P5 ally. This explanatory approach is grounded in the Council's institutional design: adopting a resolution authorizing specific measure(s) requires the agreement of at least nine of its members, including all veto players. Explaining collective decision-making outcomes therefore requires explaining how Council members, particularly the P5, reach consensus.

At its core, the explanatory power of the framework lies in identifying what, exactly, Council members must agree on to intervene, and how such agreement is produced. Reaching consensus is a deliberative process that requires building a shared interpretation of a situation, as well as of the appropriate solution or response, through argument and persuasion. Sequencing is therefore crucial to explain why and how intervention occurs. The escalation of large-scale violence against civilians creates an emergent threat. A UN atrocity characterization defines (categorizes, classifies) that threat as an atrocity crime or possible crime, and therefore as a threat to international peace and security. Finally, regional requests or endorsements signal that intervention is a legitimate course of action.

However, focusing solely on individually necessary and jointly sufficient conditions for an outcome risks overlooking other influential factors. While necessary conditions are the most direct causes of intervention, other causal factors can play a pivotal role in building momentum toward intervention decisions, even if they are not strictly necessary. The thesis identifies three such factors that, while not required for the Council to intervene, are often crucial to enabling intervention by pressuring states to act or shifting their incentives toward supporting it.

The first factor is **(1) the relative strength of the R2P norm**. I define norm strength using Anette Stimmer's (2025) typology of norm contestation outcomes. Stimmer builds on rhetoric scholarship to advance a theory of norm contestation that distinguishes between

“frames” (or norm-based justifications), and “claims” (or proposed actions). She argues that invoking a frame such as R2P to justify intervention can lead to four possible outcomes: **norm clarification** (agreement on the frame and claim); **norm recognition** (frame agreement, claim disagreement); **norm neglect** (frame disagreement, claim agreement); and **norm impasse** (disagreement on the frame and claim). The first two outcomes indicate norm strength, while the latter two signal weak or contested norms.

I argue that R2P, in fact, need not be in a state of norm clarification or recognition for the Security Council to intervene in atrocity situations. Interventions can still take place during periods of norm neglect or impasse, with other norm-based justifications driving agreement on collective action—as seen in the Democratic Republic of the Congo (DRC), the Central African Republic (CAR), Mali, and South Sudan, where only the POC norm was invoked as a normative basis for intervening. Nonetheless, when R2P, including both its frame and behavioral claims, is perceived as valid and important, it can strongly influence states to intervene, whether they are motivated by normative beliefs, an interest in norm compliance, or both. Significantly, the thesis identifies only three cases since 2005 where pillar 3b of R2P was in a state of norm clarification or recognition and had a decisive impact on state behavior: Sudan, Côte d’Ivoire, and Libya.⁶⁷

The second enabling factor is **(2) a request or recommendation for intervention from the UN Secretary-General**. Such a request almost always aligns with the position of regional organizations, though occasionally, the Secretary-General advocates for intervention when regional actors remain neutral or opposed, such as when Ban Ki-moon called for intervention in Libya, diverging from the African Union (AU)’s position (though aligning with the League of

⁶⁷ Notably, Anette Stimmer (2025) argues that Libya represented norm *neglect*—when states agree on a claim or action but disagree on the norm frame—since China and Russia did not explicitly invoke R2P as a basis for supporting intervention. However, I contend that because a majority of Security Council members endorsed R2P’s “frame-claim” structure, it is appropriate to describe R2P’s influence on state behavior in this instance as strong.

Arab States). While such endorsements are not strictly necessary to spur Council action, they add legitimacy and urgency to intervention proposals. Finally, the third enabling factor is **(3) the existence of rapid response capabilities**, including pre-trained, equipped, and strategically deployed peacekeeping missions or member states forces, which increase the feasibility and prospects of success of intervention.

1.5 Literature Review

The theory advanced above offers a comprehensive, multicausal explanation of why the Security Council intervenes selectively in atrocity situations, filling an important gap within the academic literature. Despite its theoretical and real-world implications, there is no major scholarship on this specific question. A broad body of literature exists on third-party “intervention”—particularly UN peacekeeping—as well as on international norms and R2P. Scholars within these literatures have addressed related questions, such as when and where the UN deploys peacekeepers, and why the twenty-first century has seen a rise in international responses to atrocity crimes. However, no existing study has systematically examined the conditions under which the Security Council authorizes coercive intervention in atrocity situations to explain its selective patterns of action.

One reason for this gap may be a lack of consensus on concepts and definitions. As previously mentioned, scholars often use different definitions of a “mass atrocity,” including “genocide” (Midlarsky 2005), “one-sided killing” (Eck and Hultman 2007), and “mass killing,” which itself has been defined either as 1,000 civilian deaths per year (Ulfelder and Valentino

2008) or 5,000 total civilian deaths (Bellamy 2011).⁶⁸ Views on what qualifies as an “intervention” by the Security Council also vary, from deploying peacekeepers (Hultman 2012) to authorizing military force (Binder 2017), invoking R2P (Hehir 2015), or simply adopting any resolution (Bellamy 2011). In short, scholars differ in their understanding of what exactly the Security Council is intervening in, and what actions by the Council count as intervention.

Studies commonly referred to as the literature UN “intervention”—conceived more broadly than in this thesis—primarily focus on UN peacekeeping. Within this literature, most studies examine either under what conditions the Security Council deploys peacekeepers in armed conflict, or why states contribute to existing peace operations. On the heels of the Cold War, Laura Neack (1995) examined the reasons for state participation in Cold War UN peacekeeping and found that states pursue their interests rather than an “idealistic commitment” to the international community. In a study of post-Cold War UN peace enforcement, Peter Jakobsen (1996) similarly identified “humanitarian sentiment” and “national interests” as the two motivations driving peace operations. These early studies exemplify the main competing theories about why states intervene: “norms” versus “interests.”⁶⁹ However, they have clear methodological and empirical drawbacks. Both limit their analysis to cases where intervention occurred and do not consider instances where the Security Council chose not to intervene, an approach that can obscure important causal conditions. Furthermore, they focus only on the deployment of peacekeepers and do not examine the full range of measures at the Council’s disposal.

⁶⁸ See: Straus, “What Is Being Prevented,” 18.

⁶⁹ Lisa Hultman, “UN Peace Operations and Protection of Civilians: Cheap Talk or Norm Implementation?” *Journal of Peace Research* 50, no. 1 (2013): 60.

Later scholarship on UN peacekeeping began to address the question of *selective* Security Council intervention in armed conflict (i.e., establishing peacekeeping missions). In a study of peacekeeping deployment in civil wars, Michael Gilligan and Stephen Stedman (2003) found that the Council is more likely to deploy peacekeepers in conflicts with higher casualties, but less likely to do so in states with large militaries.⁷⁰ They conclude that this is evidence that the UN is “more sensitive to its humanitarian mission” than is often assumed, but that “considerations of power” constrain the organization’s “universalism.”⁷¹ In a larger peacekeeping study, Virginia Fortna (2004, 2008) found no evidence that higher death tolls increase the likelihood of peacekeeping deployments, but similarly found that the Council avoids deploying peacekeepers in militarily strong states. Mark Mullenbach (2005) also examined peacekeeping deployments in civil wars and found that the Council is less likely to send peacekeepers if a state is a major power, but more likely to do so if it previously engaged in crisis management there. According to Mullenbach, this suggests that the best predictors of peacekeeping deployments are “international-level” factors, such as major power status or military alliances, rather than “state-level” factors.

Whereas these earlier studies focus on peacekeeping, a 2012 study examined a wider range of “interventions” by the Security Council. To explain why the UN “intervenes more strongly in some international crises”⁷² than in others—defined as any measure taken by the Council in response to interstate war—Kyle Beardsley and Holger Schmidt compared two models of UN intervention: the “organizational mission” model and the “parochial interests”

⁷⁰ The variable “deaths” includes both military and civilian conflict-related deaths and is used as a measure of humanitarian need for an international intervention.

⁷¹ Hultman, “UN Peace Operations and Protection of Civilians,” 42.

⁷² Kyle Beardsley and Holger Schmidt, “Following the Flag or Following the Charter? Examining the Determinants of UN Involvement in International Crises, 1945–2002,” *International Studies Quarterly* 56, no. 1 (2012): 33–49.

model. They found that measures of a conflict's severity and escalatory potential better explain levels of "international involvement" than P5 interests, suggesting, they argue, that UN interventions are not solely a tool for advancing great power interests, and that normative considerations do impact decision-making outcomes.

In sum, existing scholarship on third-party "intervention" has improved our knowledge of the conditions under which both the Security Council and UN member states deploy peacekeepers in armed conflicts. However, it has three limitations for explaining coercive interventions in atrocity crimes, both empirical, theoretical, and methodological.

Empirical Limitations

First, most studies focus on inter- or intrastate armed conflicts and do not specifically examine situations of atrocity crimes. While many atrocities occur in war, armed conflict and large-scale violence against civilians are distinct phenomena: not all armed conflicts lead to mass atrocities, and many atrocity crimes occur in the absence of hostilities.⁷³ In 2011, Alex Bellamy estimated that roughly a third of modern atrocities occurred outside of armed conflict, arguing that such "peacetime" atrocities take at least three forms: state repression, intercommunal violence, or post-war retribution. Examples include retaliatory killings in the former Yugoslavia (1990s), post-election violence in Kenya (2007–2008), and China's repression of the Uyghurs (2014–present). Organized criminal violence, such as mass killings in Mexico's drug wars, arguably represents another form.⁷⁴ While no study has updated this estimate or proposed a

⁷³ Alex J. Bellamy, *Mass Atrocities and Armed Conflict: Links, Distinctions, and Implications for the Responsibility to Prevent* (The Stanley Foundation, 2011), 1.

⁷⁴ Office of the United Nations High Commissioner for Human Rights, *Crimes Against Humanity in the "War on Drugs" in Mexico* (Geneva: OHCHR, 2018), https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/DrugProblem/HRC39/MEXICO_CMDPDHwaragainstdrugs.pdf.

comprehensive typology, it is notable that, among the four atrocity crimes, only war crimes necessarily occur during armed conflict. By contrast, genocide, crimes against humanity, and ethnic cleansing can occur both in peacetime and in war.

What distinguishes Security Council intervention in atrocity crimes from its responses to armed conflict is not only what the Council is intervening in, but also the logic behind intervention. Preventing atrocity crimes, even during armed conflict, requires different strategies and tools than those traditionally used for conflict prevention.⁷⁵ Whereas conflict resolution tools such as mediation or ceasefire agreements target multiple parties and seek to produce consensual agreement, atrocity prevention tools such as sanctions or military force focus on specific actors and aim to stop them from committing crimes.⁷⁶ Such direct—and coercive—measures are rarely used for conflict resolution in general and can even work at cross-purposes with its goals.⁷⁷

In sum, not only are atrocity crimes and armed conflict distinct events, but the tools used to address them also differ from those of conflict resolution, and even when these toolkits overlap, they pursue different objectives.⁷⁸ Notably, the WSOD itself reflects this conceptual and policy distinction. As the International Peace Institute observes, the references to the four atrocity crimes in paragraphs 138 and 139—placed under the section “Human rights and the rule of law,” instead of “Peace and collective security”—give R2P a distinct focus compared to the

⁷⁵ See, for example: Michael Jones and Kate Ferguson, “Between War and Peace: Preventing Mass Atrocities Outside Armed Conflict,” *RUSI Newsbrief* 41, no. 4 (May 21, 2021), <https://rusi.org/explore-our-research/publications/rusi-newsbrief/between-war-and-peace-preventing-mass-atrocities-outside-armed-conflict>; Federica D’Alessandra and Gwendolyn Whidden, “Developing a UK Atrocity Prevention Strategy: The Need for a Whole-of-Government Approach,” *Oxford Programme on International Peace and Security*, Blavatnik School of Government, University of Oxford, January 27, 2023, 1–16, https://www.elac.ox.ac.uk/wp-content/uploads/2023/01/ELAC-Policy-Brief_UK-AP-Strategy.pdf.

⁷⁶ Bellamy, “Mass Atrocities and Armed Conflict,” 8.

⁷⁷ *Ibid.*; Ferguson and Jones, “Between War and Peace”; International Crisis Group, “Sanctions, Peacemaking and Reform: Recommendations for U.S. Policymakers,” August 28, 2023, <https://www.crisisgroup.org/united-states/8-sanctions-peacemaking-and-reform-recommendations-us-policymakers>.

⁷⁸ Ferguson and Jones, “Between War and Peace.”

UN's conflict prevention agenda.⁷⁹ Ban Ki-Moon has also argued that preventing armed conflict and mass atrocities are distinct challenges confronting the Security Council and should not be conflated.⁸⁰

It is therefore reasonable to deduce that the causal process leading to Security Council intervention in atrocity crimes differs from the process driving interventions in armed conflict—one justification for studying such interventions independently. However, the focus of existing theories on armed conflict is not the only factor limiting their explanatory power with respect to this research question. I argue they have a second theoretical drawback: the dichotomy between interests and norms.

Theoretical Limitations

Much of IR scholarship assumes that there is a stable line between interests and norms as motivational forces.⁸¹ States are either motivated by “instrumental considerations” or “principled considerations,” by the “logic of utility” or the “logic of appropriateness.” Their conduct is either “strategic” or “aspirational.”⁸² As Janina Dill (2015) observes, this “assumes that what an actor wants and does as a result of instrumental considerations is naturally antagonistic to what an actor should want and do in the light of [normative beliefs].”⁸³ Decisions based on interests and those based on norms are distinct alternative courses of action, with “no overlap and no middle ground.”⁸⁴

⁷⁹ International Peace Institute, *Conflict Prevention and the Responsibility to Protect*, IPI Blue Papers: Task Forces on Strengthening Multilateral Security Capacity, Report No. 7 (New York: International Peace Institute, 2009).

⁸⁰ United Nations Secretary-General, *Report of the Secretary-General on Early Warning, Assessment and the Responsibility to Protect*, A/64/864. July 14, 2010. https://www.un.org/en/ga/search/view_doc.asp?symbol=A/64/864, 4.

⁸¹ Janina Dill, *Legitimate Targets? Social Construction, International Law and US Bombing* (Cambridge: Cambridge University Press, 2014), 46.

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*

The assumption of a sharp line between interests and norms rests on a second prevailing assumption: that interests are stable and exogenous.⁸⁵ For this to be true, they must be understood as material (in other words, as objective, measurable, and independent of social context).⁸⁶ In this typical neorealist view, interests stem from the material structure of the international system and remain fixed, excluding the possibility that they can be shaped through social interaction or that states follow norms for their own sake.⁸⁷ Yet, even neorealists would concede that states “sometimes have a material interest in following a norm.”⁸⁸ For instance, some peacekeeping scholars propose that, “[i]n the case of civilian protection, [norms and interests] are not necessarily two separate processes.”⁸⁹ One such scholar, Lisa Hultman (2015), argues that “because of the strength of the norm to protect, the Security Council has an interest in publicly acting in line with this norm.”⁹⁰ Thus,

...what is often portrayed as two competing explanations—humanitarian sentiments or state interests—need not be so in the case of civilian protection. Instead, it is reasonable to think that the norm provides the Security Council with strategic incentives to comply in order to enhance its legitimacy...regardless of the national interests of each of its member states.⁹¹

It is possible, then, that the logics of “utility” and “appropriateness” are not inherently opposed.⁹² To be sure, Hultman still treats interests as the true reason for norm compliance, implying that “instrumental considerations [ultimately] account for actions that accord with normative

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid., 23.

⁸⁸ Ibid., 46.

⁸⁹ Hultman, “Cheap Talk,” 60.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Dill, *Legitimate Targets*, 47.

prescriptions.”⁹³ Still, even under neorealist assumptions, there are grounds to believe that norms and interests are not “cut from fundamentally different cloths.”⁹⁴

On the opposite extreme from neorealism lies constructivism’s theory of agency, which rejects materialism entirely. To quote Dill, from a constructivist point of view,

...interests are endogenous, established and changed in social processes of interaction and identity formation. Since it is through ideas that actors attribute meaning to the material reality, their beliefs (including those about appropriateness) are constitutive of the world as they perceive it.

It follows that interests form in the same way as normative beliefs: through social interaction. Interests arise from and shape actors’ social behavior and identity, meaning they are socially constructed and changeable.⁹⁵ They are “formed and changed in an iterative process[,] rather than arising from material circumstances and remaining fixed henceforth.”⁹⁶ If interests inform identities, and identities shape interests, then “[n]orms can be endogenous to interests[, and] interests can be endogenous to norms.”⁹⁷ Neither is static or exogenous; both are mutually constitutive.

If interests do not necessarily precede norms, it also follows that states may comply with a norm not only because it serves their interests—such as enhancing their international standing or avoiding reputational harm—but also because they *internalized* the norm. They may view themselves as a state that, as a “good member of international society,”⁹⁸ complies with it. Importantly, this does not imply that states act “irrationally” when following norms, but rather reflects a different understanding of “rational action” than much of IR scholarship assumes.⁹⁹

⁹³ Ibid., 46.

⁹⁴ Ibid.

⁹⁵ Ibid., 23–24.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid., 24.

⁹⁹ Ibid.

Nor does this view deny that socially constructed actors can behave as instrumental utility-maximizers making decisions through cost-benefit analysis.¹⁰⁰ Constructivism simply argues that what actors perceive as a cost or a benefit, and thus as being in their “interest,” is shaped by their ideas about the world.¹⁰¹

This conclusion raises the question of whether there is any conceptual difference between interests and norms. The thesis supports Dill’s view that it is still useful to categorize motivations as either interests or normative beliefs, given their different temporal implications. Dill argues that reasons for action can be placed along a continuum, from immediate imperatives to remote, abstract aims.¹⁰² Actions that fulfill immediate imperatives serve an actor’s interests: they are instrumental considerations, making arguments to justify them “strategic.”¹⁰³ In contrast, courses of actions that satisfy more distant requirements can be considered to follow normative beliefs, meaning arguments for following them are “aspirational.”¹⁰⁴ In short, reasons for action can be distinguished by temporality: interests are situational and immediate, while norms are longer-term and abstract, arising from an actor’s identity or worldview regardless of the immediate situation.¹⁰⁵

In most situations, actors balance multiple, sometimes conflicting motivations at once.¹⁰⁶ Moreover, whether a reason for action is a situational requirement or abstract imperative depends on the perspective of an actor at a specific moment in time.¹⁰⁷ What one actor perceives as an abstract necessity might, to a different observer, or even to the same actor in a different context,

¹⁰⁰ Ibid., 23–24.

¹⁰¹ Ibid.

¹⁰² Ibid., 48.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid., 49.

¹⁰⁶ Ibid., 48.

¹⁰⁷ Ibid., 49.

be an immediate imperative. Thus, whether reasons for action can be categorized as interests or norms is a matter of time, context, and individual perception.¹⁰⁸

Accordingly, the theory advanced does not aim to adjudicate whether interests or norms are the primary drivers of state behavior. Security Council resolutions are the product of collective decision-making, with each of the body's fifteen members potentially supporting a measure for different reasons. It is also nearly impossible to objectively determine whether a state pursued a particular course of action because it viewed it as a situational requirement, an abstract imperative, or both. Instead, the theory simply identifies high-level conditions that may generate an interest in supporting intervention, trigger a normative belief that action is required, or do both at once, depending on the state.

Methodological Limitations

The final limitation of existing studies on third-party intervention is methodological. Due to the conceptual bifurcation of norms and interests, most existing studies focus on identifying a single, overriding factor driving interventions—"interests" or "norms"—and do not consider how these forces may work together to explain behavioral outcomes.¹⁰⁹ In other words, almost all studies engage in competitive theory testing where, as Jeffrey Checkel (2001) puts it, in a "gladiator" style of analysis one perspective goes forth and slays all others."¹¹⁰ The dominance of this approach is surprising given the profound complexity of intervention decisions, and that it is unlikely the presence or absence of single condition explains decision-making outcomes in every case.

¹⁰⁸ Ibid.

¹⁰⁹ For example: Hultman, "Cheap Talk"; Martin Binder, *The United Nations and the Politics of Selective Humanitarian Intervention* (Cham: Palgrave Macmillan, 2017).

¹¹⁰ Quoted in Binder, *Politics of Selective Humanitarian Intervention*, 13.

To remedy this, Martin Binder (2017) proposes a multicausal explanation of selective UN intervention in “humanitarian crises.” Combining fuzzy-set analysis with in-depth case studies, he argues that whether the Security Council intervenes in “major humanitarian crises” depends on the interplay between humanitarian concerns, material interests, and institutional dynamics. While this study advanced the literature by showing that interventions are driven by “mixed motives rather than single causes,”¹¹¹ it focuses on UN responses to “human-made crises that are directly linked to violent conflict,” rather than specifically on cases of atrocity crimes.¹¹² It also examines cases from 1991 to 2004—a period that, although more recent than previous studies, precedes the advent of R2P. Finally, Binder defines “intervention” broadly as the authorization of “military force, economic sanctions, peacekeeping operations, or humanitarian assistance,” rather than solely Chapter VII measures.¹¹³ The explanatory power of his framework, like other theories within the literature, is thus limited with respect to coercive intervention in mass atrocities.

Contributions to the Literature: Summary

In sum, this thesis makes both empirical, theoretical, and methodological contributions to the study of UN intervention. Empirically, it explains the conditions under which the Security Council intervenes in atrocity situations, rather than in armed conflicts or humanitarian crises broadly. It also clarifies the definition of “intervention,” examining a wider range of measures than peacekeeping, but focusing solely on the authorization of enforcement action. Theoretically, the thesis offers a multicausal explanation of selective interventions by identifying a set of jointly sufficient conditions, both political, material, institutional, and normative in nature. Assuming

¹¹¹ Ibid., 242.

¹¹² Ibid., 14.

¹¹³ Ibid., 10.

that interests and norms can influence each other while remaining distinct reasons for action, it seeks to explain *how* these motives interact, rather than treating them as competing explanations for action. For this reason, methodologically, the thesis adopts a process-oriented approach to explanation, rather than a variable-oriented. It seeks to identify an underlying process or “mechanism” that leads to intervention, rather than analyzing covariation between different independent variables and the dependent variable. The advantage of this approach over regression analysis is that it reveals local causality, showing how a set of factors combines to produce interventions in specific contexts.

1.6 Research Design

Given its methodological orientation, the thesis employs a qualitative case study research design to test the theoretical claims advanced. This approach is particularly well-suited for analyzing multicausal, process-driven phenomena, allowing for contextual examination of how different conditions interact to produce the outcome. Specifically, I adopt an “outcome-based” comparative case study design. In the first part, I analyze positive cases where intervention occurred, demonstrating that the proposed set of sufficient conditions led to the authorization of Chapter VII measures. In the second part, I examine negative cases where intervention did not materialize, showing how the absence of one or more theorized conditions caused the decision-making process to break down.

Table 1.2 Universe of Cases Relevant for Theory-Testing Case Studies

Outcome	Perpetrator Type	Country	Year(s)	Intervention Measure(s)	UNSC Resolution(s)	Authorization Date(s)
Positive	State	Sudan	2003–2007	Military force	1706 (authorized UNMIS to deploy to Darfur to protect civilians)	August 31, 2006

		Libya	2011	Sanctions, military force	1970 (imposed sanctions) 1973 (authorized UN member states to take “all necessary measures” to protect civilians)	February 26, 2011 March 17, 2011
		Côte d’Ivoire	2011	Sanctions, military force	1975 (imposed sanctions, authorized French/UNOCI forces to use “all necessary means” to protect civilians)	March 30, 2011
	Non-State	Democratic Republic of the Congo	2013	Military force	2098 (authorized the Force Intervention Brigade to restore state authority and protect civilians)	March 28, 2013
		Mali	2014	Military force	2085 (authorized AFISMA to restore state authority and protect civilians) 2100 (established MINUSMA with robust POC mandate)	December 20, 2012 April 25, 2013
		Central African Republic	2014	Military force	2127 (authorized French/MISCA forces to restore state authority and protect civilians) 2149 (established MINUSCA with a robust POC mandate)	December 5, 2013 April 20, 2014
		Haiti	2025	Military force	2793 (authorized the Gang Suppression Force to neutralize armed gangs and protect vulnerable groups)	September 30, 2025
	State/Non-State	South Sudan	2013–2018	Military force	2304 (authorized the Regional Protection Force to protect civilians and stabilize the capital)	August 12, 2016
	Negative	State	Myanmar	2006	–	
		Sudan	2007	–		
		Myanmar	2007	–		
		Guinea	2008–2010	–		
		Kenya	2008	–		
		Sudan	2008	–		
		Zimbabwe	2008	–		

	Kyrgyzstan	2010	–		
	Syria	2011– 2024	–		
	Sudan	2011	–		
	Egypt	2013	–		
	Sudan	2015	–		
	Sudan	2016	–		
	Myanmar	2017	–		
	Sudan	2019	–		
	Venezuela	2019	–		
	Myanmar	2021	–		
	Tigray (Ethiopia, Eritrea)	2021–	–		
	Myanmar	2022	–		
	Israel	2023	–		
	Myanmar	2023	–		
	Sudan	2023	–		
	Myanmar	2024	–		
	Sudan	2024	–		
Non-State	Afghanistan	2006	–		
	CAR	2006	–		
	DR Congo	2006	–		
	Iraq	2006	–		
	Afghanistan	2007	–		
	DR Congo	2007	–		
	Ethiopia	2007	–		
	Iraq	2007	–		
	DR Congo	2008	–		
	Iraq	2008	–		
	Pakistan	2008	–		
	CAR	2009	–		
	DR Congo	2009	–		
	Iraq	2009	–		
	Afghanistan	2009	–		
	CAR	2009	–		
	DR Congo	2009	–		
	Iraq	2010	–		
	Nigeria	2010	–		
	Afghanistan	2011	–		
	CAR	2011	–		
	DR Congo	2012	–		
	Iraq	2012	–		
	CAR	2013	–		
	Iraq	2013	–		
	Cameroon	2014	–		
	Iraq	2014	–		
	Iraq	2015	–		
	Afghanistan	2015	–		
	CAR	2016	–		
	DR Congo	2016	–		
	Iraq	2016	–		
	Somalia	2016	–		
	CAR	2017	–		

	DR Congo	2017	–		
	Iraq	2017	–		
	Somalia	2017	–		
	CAR	2018	–		
	DR Congo	2018	–		
	Burkina Faso	2019	–		
	CAR	2019	–		
	DR Congo	2019	–		
	Iraq	2019	–		
	Mali	2019	–		
	Somalia	2019	–		
	Burkina Faso	2020	–		
	Cameroon	2020	–		
	DR Congo	2020	–		
	Mali	2020	–		
	CAR	2021	–		
	DR Congo	2021	–		
	Afghanistan	2022	–		
	DR Congo	2022	–		
	Mali	2022	–		
	Colombia	2023	–		
	DR Congo	2023	–		
	Mali	2023	–		
	CAR	2024	–		
	Colombia	2024	–		
	DR Congo	2024	–		
State/Non-State	Burundi	2006	–		
	Chad	2006	–		
	Chad	2007	–		
	Yemen	2011	–		
	Kenya	2012	–		
	South Sudan	2016	–		
	South Sudan	2017	–		
	South Sudan	2019	–		
	Haiti	2020	–		
	Colombia	2002	–		

Positive Case Selection

Which cases of atrocity crimes are suitable for theory testing? When selecting positive cases, the choice is more straightforward, as the number of cases is limited. The Security Council has authorized coercive intervention in just three state-perpetrated atrocity situations since R2P’s adoption in 2005: Côte d’Ivoire and Libya in 2011, and Sudan in 2006. Côte d’Ivoire and Libya arguably represent the only two “typical” R2P interventions. In Côte d’Ivoire, French forces

intervened alongside UN peacekeepers to halt violence against civilians perpetrated by President Laurent Gbagbo's forces following the country's disputed 2010 presidential election. The Council strengthened the mandate of the existing peacekeeping mission (UNOCI) to use "all necessary means"¹¹⁴ to protect civilians from the use of heavy weapons while authorizing French troops to support the mission, enabling UNOCI to respond more robustly to active threats. That same year, the Council authorized enforcement measures within weeks of the onset of atrocity crimes by Muammar Gaddafi in Libya, imposing sanctions and eventually authorizing a full-scale military operation by a NATO-led coalition.¹¹⁵

Whereas these actions are clear-cut examples of peace enforcement, Sudan's case is more nuanced. Despite an initially slow response to mass atrocities in Darfur in 2003, the Security Council eventually expanded the POC mandate of the UN Mission in Sudan (UNMIS) to include Darfur in 2006, "deciding" the mission would deploy to the region—language widely interpreted as authorization—and "inviting" Sudan's consent.¹¹⁶ However, Khartoum strongly opposed any international force, and the mission never deployed, leading to the establishment of a UN–AU hybrid mission the following year. While the Council did not ultimately physically intervene in Darfur, I argue that the *authorization* of the deployment was a coercive action with peace enforcement objectives, falling within the definition of "collective action."

¹¹⁴ UNSC, S/RES/1975, March 30, 2011, [https://undocs.org/S/RES/1975\(2011\)](https://undocs.org/S/RES/1975(2011)).

¹¹⁵ UNSC, S/RES/1973, March 17, 2011, [https://docs.un.org/S/RES/1973\(2011\)](https://docs.un.org/S/RES/1973(2011)).

¹¹⁶ UNSC, S/RES/1706, August 31, 2006, [https://docs.un.org/S/RES/1706\(2006\)](https://docs.un.org/S/RES/1706(2006)); see Dan Joyner, "Legal Bindingness of Security Council Resolutions Generally and Resolution 2334 on the Israeli Settlements in Particular," *EJIL: Talk!*, January 9, 2017, <https://www.ejiltalk.org/legal-bindingness-of-security-council-resolutions-generally-and-resolution-2334-on-the-israeli-settlements-in-particular/>; Nathalie Weizmann, "Respecting International Humanitarian Law and Safeguarding Humanitarian Action in Counterterrorism Measures: United Nations Security Council Resolutions 2462 and 2482 Point the Way," *International Review of the Red Cross* 916 (February 2022), <https://international-review.icrc.org/articles/respecting-international-humanitarian-law-safeguarding-humanitarian-action-916>; "What Makes a UN Decision Binding?" *Responsible Statecraft*, April 3, 2024, <https://responsiblestatecraft.org/un-security-council-israel-gaza/>.

The Security Council has not intervened coercively in any state-perpetrated atrocities since Libya, which caused major blowback over accusations that NATO exceeded its original mandate to protect civilians by seeking regime change. However, it has intervened in four situations involving atrocity crimes perpetrated by non-state armed groups: the Democratic Republic of Congo (2013), Mali (2013), the Central African Republic (2013), and Haiti (2025). After the M23 rebel group captured the DRC’s provincial capital of North Kivu in 2013, the Security Council authorized a unit within the UN peacekeeping mission (MONUSC)—known as the Force Intervention Brigade—to offensively target M23 rebels in the eastern DRC, with the aim of restoring state authority and protecting civilians.¹¹⁷

A month later, after the Malian government requested French forces to intervene to halt the advance of Islamic militant groups toward the capital, the Security Council established a robust peacekeeping mission in Mali, known as MINUSMA.¹¹⁸ The mission was mandated to support stabilization efforts, protect civilians and cultural heritage sites, and assist in restoring state authority, making it among the most robust mandates ever granted to a peacekeeping mission. That same year, the Council authorized French forces and MISCA, an AU-led peacekeeping force, to help stabilize CAR.¹¹⁹ The intervention came in response to the overthrow of the government by a rebel coalition, which triggered mass atrocities and retaliatory violence, ultimately leading to the establishment of the UN peacekeeping mission (MINSUCA) with a similarly robust POC mandate.¹²⁰ Finally, over a decade later, the Council authorized the Gang Suppression Force (GSF) in Haiti in 2025 to neutralize armed gangs and protect vulnerable

¹¹⁷ UNSC, S/RES/2098, March 28, 2013, [https://undocs.org/S/RES/2098\(2013\)](https://undocs.org/S/RES/2098(2013)).

¹¹⁸ UNSC, S/RES/2100, April 25, 2013, [https://undocs.org/S/RES/2100\(2013\)](https://undocs.org/S/RES/2100(2013)).

¹¹⁹ UNSC, S/RES/2149, April 10, 2014, [https://undocs.org/S/RES/2149\(2014\)](https://undocs.org/S/RES/2149(2014)).

¹²⁰ United States Holocaust Memorial Museum, “History of the Conflict in the Central African Republic,” <https://www.ushmm.org/genocide-prevention/countries/central-african-republic/history-of-the-conflict>.

populations at risk of atrocity crimes, replacing an earlier, unsuccessful Kenyan-led security support mission authorized in 2023.¹²¹

The final case of intervention identified since 2005—South Sudan—falls into a third, more ambiguous category of atrocity situations: one perpetrated by both state and non-state actors, with neither group clearly recognized as the main perpetrator.¹²² This contrasts with Sudan, Côte d’Ivoire, and Libya, where the violence was unequivocally attributed to state forces, and with Congo, Mali, and CAR, where insurgents were recognized as the primary drivers of violence. In response to renewed fighting and violence against civilians in 2015, the Security Council authorized targeted sanctions against six individuals obstructing the peace process and violating human rights, with a Sanctions Committee designating an equal number of government and opposition figures.¹²³ After the breakdown of a peace agreement in 2016, the Council authorized the deployment of a joint UN–AU mission, the Regional Protection Force (RPF), to protect civilians and reinforce the existing UN peacekeeping mission (UNMISS).¹²⁴ As in Sudan, the Council authorized the RPF to deploy without South Sudan’s consent—although in this case, the government ultimately relented—making it a coercive intervention.

¹²¹ United Nations Security Council, S/RES/2793, September 30, 2025, [https://docs.un.org/S/RES/2793\(2025\)](https://docs.un.org/S/RES/2793(2025)); UNSC, S/RES/2699, October 2, 2023, [https://docs.un.org/S/RES/2699\(2023\)](https://docs.un.org/S/RES/2699(2023)). For a discussion of atrocity risks in Haiti, see: Global Centre for the Responsibility to Protect (GCR2P), “Haiti,” updated November 14, 2025, <https://www.globalr2p.org/countries/haiti/>.

¹²² Research by the UN and human rights groups indicates that during South Sudan’s civil war from 2015 to 2016, both government and opposition forces committed widespread human rights abuses, with reports consistently highlighting violence from “both” or “all sides.” See: United States Holocaust Memorial Museum, “History of the Conflict in the Central African Republic,” <https://www.ushmm.org/genocide-prevention/countries/central-african-republic/history-of-the-conflict>; Human Rights Watch, “World Report 2015: South Sudan,” <https://www.hrw.org/world-report/2015/country-chapters/south-sudan>; United Nations Office of the High Commissioner for Human Rights, “Widespread Human Rights Abuses by All Sides in South Sudan, Peace Process Gets Underway,” January 25, 2016, <https://www.ohchr.org/en/press-releases/2016/01/widespread-human-rights-abuses-all-sides-south-sudan-peace-process-gets>; Center for Civilians in Conflict (CIVIC), *Under Fire: The July 2016 Violence in Juba and UN Response*, October 2016, <https://civiliansinconflict.org/publications/research/fire-july-2016-violence-juba-un-response/>.

¹²³ UNSC, S/RES/2206, March 3, 2015, [https://undocs.org/S/RES/2206\(2015\)](https://undocs.org/S/RES/2206(2015)).

¹²⁴ UNSC, S/RES/2304, August 12, 2016, [https://undocs.org/S/RES/2304\(2016\)](https://undocs.org/S/RES/2304(2016)).

In sum, the thesis identifies just eight coercive interventions by the Security Council in situations of atrocity crimes since 2005. To test the theory's ability to explain these outcomes, the thesis examines all three cases of intervention in state-perpetrated atrocities—Côte d'Ivoire, Libya, and Sudan—demonstrating that each met the scope and sufficient set of necessary conditions, while also featuring each enabling factor. Due to space constraints, I focus on these cases rather than those involving non-state-perpetrated atrocities, as R2P was primarily conceived as a framework for responding to violence committed by governments against their own citizens, though it can guide action in other types of atrocity situations.

This choice warrants brief justification. For the Security Council to consider authorizing Chapter VII measures to halt atrocity crimes, R2P stipulates that national authorities must be “manifestly failing” to protect their populations. While the WSOD does not define the term, it is widely understood as referring to the “unwilling and unable” threshold from the 2001 report of the International Commission on Intervention and State Sovereignty (ICISS), which introduced the idea of R2P and was incorporated into the SOD.¹²⁵ The ICISS proposed that when “preventive measures fail to resolve or contain the situation and when a state is unable or unwilling to redress [it],”¹²⁶ “or is itself the perpetrator,”¹²⁷ “then interventionary measures by other members of the broader community of states may be required.”¹²⁸ Those coercive measures “may include political, economic or judicial measures, and in extreme cases – but only extreme cases – they may also include military action.”¹²⁹

¹²⁵ International Commission on Intervention and State Sovereignty, *The Responsibility to Protect*, (International Development Research Centre, 2001), <https://idl-bnc-idrc.dspacedirect.org/server/api/core/bitstreams/7321d402-4733-4e62-98f2-8fbed4db04c1/content>.

¹²⁶ *Ibid.*, 29.

¹²⁷ *Ibid.*, 16.

¹²⁸ *Ibid.*, 29.

¹²⁹ *Ibid.*

This language suggests that the Security Council may intervene in atrocity crimes under three scenarios. The first involves (1) situations where states are **willing but unable** to stop mass atrocities. In these cases, a state recognizes the threat of atrocity crimes and is willing to protect its population but lacks the capacity to do so effectively, prompting it to seek international assistance—such as when Congo, Mali, and CAR requested support in combatting non-state armed groups they were too militarily weak to defeat. Another example is the 2014 Yezidi crisis, when the Iraqi government requested international assistance to protect the Yezidis from a genocidal campaign by the Islamic State—though in this case, Iraq sought unilateral support from the United States, which was a close military partner, rather than an international intervention.

The second scenario involves (2) states that are **able but unwilling** to prevent atrocity crimes. In these cases, the state is not the primary perpetrator and has the capacity to prevent or stop atrocity crimes, but either chooses not to act, fails to act adequately, and/or enables atrocity crimes through tacit support. Examples include Israel, which frequently fails prevent or prosecute settler violence against Palestinians in the West Bank, and Russia, which has neglected to prevent violence against civilians by Russian-backed rebels in eastern Ukraine.¹³⁰ Finally, the third atrocity situation in which R2P proposes the Security Council may intervene is more “traditional”: cases where states are **unable and unwilling** to protect their populations, or in other words, are themselves the perpetrators. In these situations, governments, whether through the military or state security forces, commit or orchestrate systematic violence against their own citizens or populations within their borders.

¹³⁰ Human Rights Watch, “Escalation in West Bank Signals Risk of Further Atrocities,” *HRW News*, September 12, 2024, <https://www.hrw.org/news/2024/09/12/escalation-west-bank-signals-risk-further-atrocities>.

Table 1.3 R2P Scenarios

Scenario	State Capacity/Will	Explanation
Willing and able	Willing and able to act	A state protects its populations effectively; intervention is unnecessary
Willing but unable	Willing to act, but lacks the ability to do so	A state requests international intervention to stop atrocities it cannot address
Able but unwilling	Has the ability, but refuses to act	A state is not committing atrocities but refuses to protect at-risk populations
Unable and unwilling	Lacks both the ability and will to act	A state commits or orchestrates atrocities itself

Insofar as R2P emerged from the international community’s failure to intervene in the Rwanda and Srebrenica genocides—both cases of state-orchestrated or enabled atrocities—I argue that the three interventions against state perpetrators (Sudan, Côte d’Ivoire, and Libya) are “typical” or paradigmatic cases for the theory.¹³¹ In other words, they represent cases where the theorized mechanism operated as expected under normal conditions. If the proposed theory can explain why intervention occurred in paradigmatic cases that R2P was designed to address, it suggests the theory captures the core mechanism driving state decision-making in situations of atrocity crimes, thereby strengthening the case for its validity.

Negative Case Selection

In contrast to positive case selection, selecting negative cases for theory testing is less straightforward. Only cases that the Security Council included on its agenda and where the perpetrator was neither a P5 state nor a nuclear power are relevant for the negative case study section, as the preclusive conditions automatically rule out intervention in all other negative

¹³¹ See: Jason Seawright, “Case Selection in Small-N Research,” *Oxford Research Encyclopedia of Politics*, August 5, 2016, <https://doi.org/10.1093/acrefore/9780190228637.013.388>. Notably, Sudan is not typically considered as “influential” as the Libya or Côte d’Ivoire interventions. However, I contend it represents a crucial case for understanding R2P’s impact on state behavior, as it marked the first instance of coercive action after the norm’s adoption and was one of only three cases where R2P discourse featured heavily in Security Council debates.

cases. This approach follows John Mahoney and Gary Goertz’s “Possibility Principle,” which guides negative case selection for theory testing in qualitative research.¹³² The Possibility Principle asserts that only cases where the outcome of interest was theoretically possible should be included in a negative case set. By contrast, cases where the outcome was impossible should be “relegated to a set of uninformative and hence irrelevant observations.”¹³³ This approach, they argue, helps to exclude irrelevant data, thus maximizing leverage for making valid causal inferences.¹³⁴

Specifically, Mahoney and Goertz’s “Rule of Exclusion” states that cases are irrelevant if they “[possess] a value on a variable that is known from previous research to make the outcome of interest impossible.”¹³⁵ Based on this standard, intervention can be considered impossible in cases that were never placed on the agenda, or where the perpetrator was either a P5 state or nuclear power, as these conditions are known to effectively preclude the possibility of intervention. Excluding such cases leaves 94 country-year negative cases, as indicated in Table 1.2, where intervention was theoretically possible but did not occur. Among these, I select only two to examine in-depth, following a similar selection strategy to the positive case study section: Syria (2011), Myanmar (2017), and Kenya (2008).

Syria and Myanmar, two of the most high-profile instances of Security Council inaction in atrocity crimes since 2005, represent “typical” negative cases in Jason Seawright’s (2008) sense of the term, despite varying in geography, historical context, timing, and the contextual dynamics of violence. They are typical because each failed to meet two key conditions necessary

¹³² James Mahoney and Gary Goetz, “The Possibility Principle: Choosing Negative Cases in Comparative Research,” *American Political Science Review* 98, no. 4 (November 2004): 653–69.

¹³³ *Ibid.*, 653.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*, 658.

for intervention: in both cases, P5 states aligned with the respective governments, while regional organizations did not support external intervention. In Syria, Russia, backed by China, consistently shielded the Assad regime, while in Myanmar, China and Russia jointly blocked any collective response. Meanwhile, neither the League of Arab States (LAS) nor the Association of Southeast Nations (ASEAN) requested or supported coercive intervention against their member states, removing a crucial source of pressure on China and Russia. While these cases contradict expectations about where and when the Security Council *should* intervene, they closely align with the pattern predicted by the theory when these necessary conditions are absent.

At the same time, both Syria and Myanmar are influential cases. Perhaps more than in any other case of inaction, the Security Council's failure to intervene has significantly constrained the trajectory of global atrocity prevention efforts. Syria, in particular, came to symbolize R2P's "death" after the 2011 NATO-led intervention in Libya, contrasting sharply with the international responses to Libya and Côte d'Ivoire that same year. This moment precipitated a breakdown of multilateral cooperation on international law and human rights, carrying major implications for the possibility of collective action in future atrocity situations, including in Myanmar. Examining these cases not only provides a strong test of the theory's claims, but also offers insight into how shifting geopolitics have constrained the mechanism's ability to operate over time.

In addition to these typical negative cases, I examine one "diverse" case of inaction: Kenya in 2008. As Seawright explains, diverse cases "exemplify diverse values of X, Y, or X/Y" and are suitable for illuminating the full range of variation in the dependent variable, the independent variable, or their relationship."¹³⁶ Whereas inaction in Syria or Myanmar can be

¹³⁶ Jason Seawright, "Case Selection Techniques in Case Study Research: A Menu of Qualitative and Quantitative Options," *Political Research Quarterly* 61, no. 2 (2008): 300–301.

attributed to the same set of conditions, I argue that in Kenya, the absence of intervention can be attributed to a distinct factor: successful diplomacy, which de-escalated the crisis and precluded the need for coercive action. Examining this case illustrates the theory's ability to explain different pathways to non-occurrence, broadening understanding of why interventions fail to occur beyond the typical patterns already identified.¹³⁷

Research Methods

Data Set

The data used to conduct this research stems from five sources. To build a dataset of Security Council responses to atrocity risk situations since the adoption of R2P, I drew on the UCDP One-Sided Violence Dataset Version 25.1. This is an “actor-year dataset with information of intentional attacks on civilians by governments and formally organized armed groups,”¹³⁸ including data from January 2006 through December 2024. To identify atrocity risk situations, I applied a threshold of 100 civilian deaths per year, based on UCDP’s “best fatality estimate,” including incidents perpetrated by both state and non-state armed groups.¹³⁹ Out of 666 cases of intentional attacks on civilians recorded in UCDP v25.1, this yielded 223 cases meeting the threshold for inclusion as situations of potential atrocity crimes.

I then collected primary UN documents from the digital Dag Hammarskjöld Library to determine which country situations were placed on the Security Council’s agenda each year, and what measures, if any, the Council adopted in response. For each case, I indicated whether the Security Council adopted any resolution, and, if so, whether it specifically authorized Chapter

¹³⁷ Ibid., 304.

¹³⁸ Uppsala Conflict Data Program, *UCDP Non-State Conflict Dataset v25.1*, Uppsala University, 2025, <https://ucdp.uu.se/downloads/index.html#nonstate>.

¹³⁹ As previously mentioned, this follows Alex Bellamy’s (2013) approach to identifying situations of atrocity *risk*.

VII measures under Articles 41 or 42 (sanctions or military force). Importantly, I distinguished *targeted* actions from the Council's routine activities by noting whether the Council authorized a mandate extension or troop augmentation for an existing peacekeeping mission without altering its mandate, or renewed a sanctions regime without designating additional parties. I also differentiated coercive uses of force from consensual peacekeeping, excluding cases where the Security Council deployed peacekeepers to protect civilians with the government's consent. Out of the 233 cases of one-sided violence causing at least 100 civilian deaths, this exercise identified only seven country situations where the Security Council intervened (Sudan, Côte d'Ivoire, Libya, the Democratic Republic of Congo, the Central African Republic, and Mali), and 226 where it did not.

This approach has limitations. For various reasons, UDCP's "best fatality estimate" is conservative and may significantly underestimate civilian death tolls. To generate the dataset, researchers draw on three sources, searching for key words (such as "kill," "die," "injured," "dead," "death," "wounded," or "massacre") through a pass-system: (1) global newswire reporting; (2) the BBC's monitoring and translation of local news; and (3) secondary sources such as local media and NGO reports.¹⁴⁰ This means UCDP primarily relies on data from international news agencies, potentially creating bias toward English language reporting. More broadly, violence that occurs in remote, conflict-affected areas often goes unrecorded (both by international and local news), meaning data is more reliable for events that receive sustained media attention. Uppsala University warns: "[d]ue to the lack of available information in many

¹⁴⁰ Uppsala Conflict Data Program, "UCDP Georeferenced Event Dataset Codebook Version 5.0," Uppsala University, Department of Peace and Conflict Research, <https://ucdp.uu.se/downloads/ged/ucdp-ged-50-codebook.pdf>, 12.

conflict zones, it is quite likely that there are more fatalities than given in the best estimate, but it is very unlikely that there are fewer.”¹⁴¹

To ensure transparency and reliability, UCDP also adheres to strict data collection and coding protocols. If it is unclear to coders which actor was involved in a death, uncertainty about whether fatalities actually occurred, too little information to exclude the possibility of double-counting, or if event descriptions which do not provide enough context to meet coding requirements, events are excluded.¹⁴² Furthermore, because UCDP treats battle-related deaths and one-sided violence as distinct categories, coders must determine whether organized actors intentionally targeted unarmed civilians, or whether civilian deaths resulted from active fighting between warring parties. Thus, in cases of state perpetrators, efforts to avoid incorrectly attributing intent result in civilian deaths more likely being coded as battle-related rather than one-sided.¹⁴³

Despite these challenges, UCDP is one of the most reliable and comprehensive datasets available for determining countries that have faced a risk of mass atrocities in the twenty-first century. It is also reasonable to assume that major atrocity episodes would not have escaped the attention of the UN and/or member states, regardless of the accuracy of UCDP or other death tolls. The goal in building the dataset is not to provide a definitive count of how many civilians were killed in a given country and year, but rather to offer a practical tool for determining which cases the Security Council may have placed on its agenda and considered intervening in due to mass atrocities.

¹⁴¹ Uppsala University, Department of Peace and Conflict Research, “UCDP Methodology,” <https://www.uu.se/en/departement/peace-and-conflict-research/research/ucdp/ucdp-methodology>.

¹⁴² Ibid.

¹⁴³ Michael Broache, Kate Cronin-Furman, Milli Lake, and Agnes Yu. 2025, “The Uncounted Dead: Statist Bias and Civilian Targeting in Conflict Data,” *Journal of Global Security Studies* 10 (3): 3, <https://doi.org/10.1093/jogss/ogaf013>.

Importantly, the final challenge of relying on UCDP's data to identify situations of atrocity risk is that it does not account for violence that occurs outside of conflict. To fill this gap, I conducted independent research based on the secondary literature and human rights and NGO reporting to identify large-scale violence against civilians that occurred over the past two decades absent hostilities. This included cases of large-scale crimes against humanity (such as torture or sexual violence), ethnic cleansing (including population removal), and genocide.

Case Studies

For the case study portion of the thesis, I consulted secondary academic literature as well as reporting by major news outlets, human rights organizations, and UN bodies to empirically reconstruct the events of each crisis and how international actors responded. This included both short-form and long-form reporting by organizations such as Human Rights Watch, Amnesty International, the International Committee of the Red Cross, the UN Human Rights Office, and UN News, as well as major outlets such as *The New York Times*, *The Washington Post*, *The Guardian*, Reuters, AP News, and France24. Human rights monitoring and journalistic reporting provided credible, real-time information on how crises unfolded and the nature and timing of international and regional responses. I specifically collected data on the reported levels of violence against civilians, how the nature of the violence was characterized, which actors were identified as responsible, and the actions proposed and taken by the Security Council, regional organizations, and individual UN member states.

I also conducted in-depth analysis of 21 Security Council meeting records and 14 resolutions held and adopted in the six case studies: Côte d'Ivoire (three meeting records and four resolutions), Libya (three meeting records and two resolutions), Sudan (eight meeting records and eight resolutions), Syria (two meeting records and no resolutions), Myanmar (five

meeting records and no resolutions), and Kenya (one meeting record and no resolutions). These documents offer insight into when situations were placed on the agenda, the number and dates of meetings held, state participation in specific meetings or votes, the content of briefings and deliberations, and meeting outcomes. Among these data sources, meeting records were the most valuable: through examining them, I assessed what information was presented to the Council about escalating crises and when, how the violence was characterized to Council members, which proposals for action were introduced, when, and by whom, and the justifications states offered for supporting or opposing specific measures.¹⁴⁴

Finally, I supplemented these official documents with 38 reports from the non-governmental organization *Security Council Report*, including “Monthly Forecast” and “What’s In Blue” updates for all six cases. These included two reports for Côte d’Ivoire, five for Libya, nine for Sudan, seven for Syria, and 10 for Myanmar. These reports provide real-time observations of Security Council meetings and draft resolution negotiations, offering insight into backdoor dynamics, key points of contention (and consensus), and how the presence or absence of certain conditions shaped the Council’s decisions at key junctures.

¹⁴⁴ Notably, while formal meeting outcomes are public, most actual decision-making occurs during informal consultations held off the record and behind closed doors. As a result, states often determine how they will vote before a Council meeting, making public meeting records an imperfect tool for fully gleaning their motivations. Nonetheless, meeting records remain the most reliable and accessible source for determining how Council members framed and justified their decisions.

Part I
Theory

Chapter 2

Conceptual Foundations

“This stress on synthesis helps promote an emergent trend, where there is a move away from an ‘either/or,’ ‘gladiator’ style of analysis (either rational choice or constructivism) to a ‘both/and’ perspective.”
– Jeffrey Checkel, 2001

The selectivity of Security Council interventions in atrocity crimes since the adoption of the Responsibility to Protect (R2P) in 2005 raises the question of under what conditions the Council intervenes. Within the existing literature on third-party intervention (broadly conceived), scholarly debate centers on whether interventions are best explained by interests or normative beliefs.¹ Constructivist scholarship typically emphasizes the explanatory power of human rights norms. These scholars argue that an increasingly dense web of norms has raised international expectations for state conduct both within their borders and during armed conflict, making it more likely that perpetrating large-scale violence against civilians is considered a violation of accepted standards of behavior, warranting an international response.² Put simply, a new international normative environment has created enabling conditions for external intervention in massive human rights abuses. However, from a purely constructivist perspective, it remains puzzling why the same norms that lead to intervention in some situations do not in others.³

¹ Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force* (Ithaca: Cornell University Press, 2013), 55; Carrie B. Walling, *All Necessary Measures: The United Nations and Humanitarian Intervention* (Philadelphia: University of Pennsylvania Press, 2015), 12–13.

² Martha Finnemore, “Paradoxes in Humanitarian Intervention,” in *Moral Limit and Possibility in World Politics*, ed. R. Price (Cambridge: Cambridge University Press, 2008), 197–206.

³ Finnemore, *The Purpose of Intervention*, 55.

By contrast, rationalist scholarship broadly argues that interventions occur where states have strategic incentives. Realist theories expect intervening states to have geopolitical or security interests at stake, while liberal theories emphasize economic or trade advantages.⁴ This would imply that Security Council decisions to intervene in atrocity crimes simply reflect the national interests of the body's individual members, particularly the veto-wielding P5.⁵ Yet, neither realist nor liberal theories adequately explain why the Council has frequently intervened in states that are of limited strategic significance to P5 states and do not directly impact their national security. In fact, since 2005, the Council has most frequently intervened to stop atrocity crimes being committed in Central and East Africa—regions where P5 states have varying levels of strategic and economic interests, but where these are often less immediate or directly impactful. While rationalist explanations of intervention are undoubtedly important, they remain incomplete.

A small but growing number of scholars have suggested that interventions are driven neither by normative beliefs nor material interests alone, but rather by mixed motives. Michael Walzer (1977) was among the first to argue that so-called “humanitarian interventions” are rare, suggesting there are only “mixed cases where the humanitarian motive is one among several.”⁶ Martha Finnemore (2013) and Carrie Walling (2015) similarly emphasize the need to examine the interaction of norms and interests in shaping decision-making outcomes, rather than viewing them as competing forces. In Finnemore's view, “humanitarian interventions” always occur within a “intricate structure of conflicting norms and values”⁷ that determine whether and how

⁴ Ibid.

⁵ Walling, *All Necessary Measures*, 10.

⁶ Michael Walzer, *Just and Unjust Wars*, cited in Martin Binder, *The United Nations and the Politics of Selective Humanitarian Intervention* (London: Palgrave Macmillan, 2017), 32.

⁷ Finnemore, “Paradoxes in Humanitarian Intervention,” 198.

they take place. Finally, Martin Binder (2017) contends that interventions are rarely driven by a single cause, and instead involve “a mix of motives and are driven by multiple behavioral logics.”⁸

Still, what these motives are in responding to atrocity crimes remains unclear.⁹ It is also unresolved whether a specific and recurring set of conditions leads to intervention, or whether, in Aidan Hehir’s (2013) words, Security Council responses to atrocity situations are simply “permanently inconsistent” decisions (that is, random outcomes). This thesis addresses this gap in the literature through an in-depth study of Security Council decision-making in response to situations of atrocity crimes. Rather than adjudicating on a single cause of intervention, it identifies a set of conditions that jointly lead to collective action. Moreover, instead of analyzing the covariation between different independent variables and the dependent variable, it shows *how* these conditions combine and interact to lead to intervention—in other words, the steps of the process that produces the outcome.

Before advancing a theory of collective action, this chapter establishes the necessary conceptual groundwork. Specifically, I distinguish between **necessary and sufficient conditions**, **enabling factors**, and **preclusive conditions**; **underlying and proximate causes**; and **deterministic and probabilistic causality**. This clarifies the types of conditions the theory posits, how they are organized conceptually, and the nature of the causal claims advanced.

⁸ Binder, *Selective Humanitarian Intervention*, 11.

⁹ *Ibid.*, 21.

Table 2.1 Typology of Causes

		Causal Directness (Proximity to Outcome)		
		Proximate	Underlying	Causal Effect
Causal Necessity (Role in Outcome)	Sufficient	Sufficient/proximate	Sufficient/underlying	Guarantees outcome will occur
	Necessary	Necessary/proximate	Necessary/underlying	Makes outcome possible
	Enabling	Enabling/proximate	Enabling/underlying	Makes outcome more likely
	Preclusive	Preclusive/proximate	Preclusive/underlying	Guarantees outcome will not occur

2.1 Necessary and Sufficient Conditions

One of the most common strategies for causal explanation in social science is the analysis of necessary and sufficient conditions.¹⁰ A **necessary condition** is one that must be present for an outcome to occur, meaning that without the condition, the outcome will not happen. As Gary Goetz (2006) notes, political scientists across methodological traditions—from quantitative scholars to game theorists and constructivists—have proposed numerous necessary condition hypotheses.¹¹ For example, scholars have long debated the prerequisites of democracy, emphasizing factors such as national unity and economic development, or what enables policy change, namely the need for agreement among all veto players.¹² Crucially, while a necessary condition must be present for an outcome to occur, its presence alone does not guarantee the outcome. Additional conditions, whether individually or combined, are still required for it to

¹⁰ This section draws from following sources: Gary Goetz and Jack S. Levy, “Causal Explanation, Necessary Conditions, and Case Studies,” in *Explaining War and Peace: Case Studies and Necessary Condition Counterfactuals*, ed. Gary Goetz and Jack S. Levy (New York: Routledge, 2007), 9–45; Gary King, Robert O. Keohane, and Sidney Verba, “Causality and Causal Inference,” in *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton, NJ: Princeton University Press, 1994), 75–114; Michael Brown, “Introduction,” in *The International Dimensions of Internal Conflict* (Cambridge, MA: MIT Press, 1996), 1–31.

¹¹ Gary Goetz, “Assessing the Trivialness, Relevance, and Relative Importance of Necessary or Sufficient Conditions in Social Science,” *Studies in Comparative International Development* 41 (2006): 88.

¹² *Ibid.*

materialize. Elections, for instance, may be necessary for democracy, but their occurrence does not ensure that a state is democratic.

Conditions that guarantee an outcome if present are **sufficient conditions**.¹³ The presence of a sufficient condition alone can produce the outcome, though other pathways to the same outcome may also exist. A classic example is the assassination of Archduke Franz Ferdinand in 1914: his assassination directly led to the outbreak of World War I, though not all wars result from assassinations, and other events could have also triggered the conflict. This represents a sufficient but *unnecessary* condition. While conditions that are individually necessary and sufficient for social phenomena are extremely rare, since causes in the social world are rarely clear-cut, scholars commonly propose sets of conditions that are individually necessary and *jointly* sufficient for outcomes.

In sum, distinguishing between necessary and sufficient conditions offers a clear and parsimonious way to theorize the causes of an outcome. This thesis argues that there are key (i.e., non-trivial) necessary conditions for Security Council intervention in atrocity crimes, but no sufficient ones.¹⁴ In other words, no single condition guarantees that intervention will take place. However, there are prerequisites (or “virtual prerequisites”¹⁵) for intervention, without which it does not occur. Specifically, I theorize a set of prerequisite conditions that, together, are almost always sufficient for the Council to authorize enforcement measures.

¹³ Ibid.

¹⁴ A trivial necessary condition is one that remains constant for all values of the dependent variable (for example, the hypothesis that air is necessary for armies to function.) See: Goetz, “Trivialness, Relevance, and Relative Importance of Necessary or Sufficient Conditions,” 89.

¹⁵ See: Charles Ragin, *Redesigning Social Inquiry: Fuzzy Sets and Beyond* (Chicago: University of Chicago Press, 2008).

2.2 Enabling Factors

In addition to necessary and jointly sufficient conditions, I identify certain factors—referred to as “**enabling**” factors—that increase the likelihood of Security Council intervention in atrocity crimes.¹⁶ Enabling factors are neither required for an outcome to occur nor capable of triggering it alone; rather, they increase the probability of the outcome occurring when the necessary conditions are in place. For example, the presence of natural resources can increase the likelihood of civil war by fueling competition among rebel groups.¹⁷ However, many resource-rich states do not experience civil war, and not all civil wars are driven by resource competition. Similarly, state weakness is a key enabling factor for atrocity crimes in many contexts. Yet, weak states do not always experience atrocity crimes, and atrocities can also occur in strong states.¹⁸ In short, enabling factors are not as causally relevant as necessary or sufficient conditions, but they are often crucial for explaining complex, multicausal phenomena, such as mass killing, armed conflict, or intervention.

2.3 Preclusive Conditions Versus Scope Conditions

The final type of condition included in the theory is what I call “**preclusive**” conditions, drawing on the Rule of Exclusion within John Mahoney and Gary Goertz’s (2004) notion of the “Possibility Principle.”¹⁹ While preclusive conditions closely resemble scope conditions, they are

¹⁶ Enabling factors are also referred to as “contributing factors” (Goetz and Levy 2007) or “facilitating conditions” (Brown 1996). While I do not distinguish conceptually between conditions and factors, I use the term “enabling factor” rather than “enabling condition” to avoid any confusion with the connotation of “condition” as a theoretical requirement.

¹⁷ Examples include Colombia and the Democratic Republic of the Congo.

¹⁸ Such as China.

¹⁹ James Mahoney and Gary Goetz, “The Possibility Principle: Choosing Negative Cases in Comparative Research,” *American Political Science Review* 98, no. 4 (November 2004): 653–69.

conceptually distinct. Scope conditions determine the boundaries within which a theory applies; they are not causes.²⁰ In other words, they do not explain why an outcome occurs, but rather specify the universe of cases where a causal relationship can be expected to hold. Scope conditions can be thought of as prerequisite conditions for causal explanations, defining the context—usually a time period, geographic region, or historical or institutional setting—within which mechanisms operate.

Importantly, scope conditions do not exclude cases where an outcome of interest is impossible. In other words, they are not claims about whether phenomena can occur; rather, they specify whether a theory is applicable in a given context, thereby delineating the relevant universe of cases. Social scientists scope their theories because they rarely propose universal causal relationships that hold across all times and places.²¹ Instead, they advance conditional propositions that apply only in specific contexts.²² When a theorized mechanism does not operate uniformly across time and space, scope conditions help to exclude cases (both negative and positive) as irrelevant for evaluating them.²³ For instance, Theda Skocpol (1997) argues that the core causal processes of social revolutions in formerly colonized states differ from those in states that were never colonized.²⁴ Based on this distinction, she stipulates that her theory of revolution only applies to the latter, excluding the former category from her universe of cases. While social revolutions have occurred in non-colonial states, they are considered irrelevant to testing her theory.²⁵ In this thesis, I limit the scope of my theory to cases that occurred after R2P's adoption in 2005 and involved more than 100 civilian deaths within a one-year period.

²⁰ Mahoney and Goetz, "The Possibility Principle," 660.

²¹ Ibid.

²² Ibid.

²³ Ibid.

²⁴ Theda Skocpol, *States and Social Revolutions: A Comparative Analysis of France, Russia, and China* (Cambridge: Cambridge University Press, 1997).

²⁵ Mahoney and Goetz, "The Possibility Principle," 665.

Scope conditions are often confused with what Mahoney and Goertz call the Possibility Principle. In other words, conditions sometimes referred to as scope conditions are, in fact, propositions about *theoretical possibility*. The Possibility Principle is a negative case selection strategy for theory testing, which holds that only cases where the outcome of interest is possible should be included in the negative case set, with cases where it is impossible excluded as uninformative.²⁶ Put simply, researchers should only examine negative cases where the outcome has a “real probability” of occurring, rather than those with an “approximately zero” chance.²⁷ Unlike scope conditions, which define the set of cases to which a theory applies and exclude both positive *and* negative cases, the Possibility Principle excludes *only* negative cases within that set where the outcome is practically impossible, thereby distinguishing irrelevant negative cases from those that are analytically useful for theory testing.

Of course, much depends on how a researcher interprets “possibility.”²⁸ Mahoney and Goertz propose two rules for determining theoretical possibility: a Rule of Inclusion and a Rule of Exclusion. The Rule of Inclusion holds that cases are relevant “if their value on at least one independent variable is positively related to the outcome of interest,” even if other independent variables predict its absence.²⁹ Put differently, the Rule of Inclusion serves as a cover rule for theoretical possibility. By this standard, Security Council intervention is, in theory, possible in any country in which state or non-state armed actors kill over 100 civilians within a one-year period. The selection of cases in Table A1 follows this rule.

²⁶ Ibid., 653.

²⁷ Ibid., 661.

²⁸ Ibid., 657.

²⁹ Ibid.

In contrast, the Rule of Exclusion deems irrelevant cases where a variable present is known from previous research to make the outcome impossible.³⁰ Mahoney and Goertz describe these as “eliminary variables” or “sufficient causes of the negative outcome.”³¹ Importantly, the Rule of Exclusion supersedes the Rule of Inclusion, meaning that the presence of an eliminary variable can exclude a case as irrelevant, even if the Rule of Inclusion deems it relevant.³² In this regard, the Rule of Exclusion defines the *practical* possibility of an outcome occurring within the broader set of cases where it is possible *in theory*. For example, theories of state-led mass killing identify civilian mobilization as a key trigger.³³ Under the Rule of Inclusion, contemporary France, where mass protests regularly occur, would be considered a relevant case. However, according to the Rule of Exclusion, France’s low levels of ethnic divisions, democratic institutions, and high levels of political stability render it irrelevant for theory testing. These conditions are known to reduce the probability of mass atrocities occurring to near zero, making France unlikely to yield meaningful insights into the causal process leading to state killing.

This thesis adapts Mahoney and Goertz’s Rule of Exclusion into the concept of **preclusive conditions**. Preclusive conditions are those whose presence renders the outcome of interest practically impossible. Within the universe of cases where a theory applies, they identify those where the probability of the outcome is “approximately zero.” Like scope conditions, preclusive conditions help to select negative cases for theory testing, but unlike scope conditions, they involve causal explanation. Preclusive conditions are *causes* of non-occurrence, explaining

³⁰ Ibid., 658.

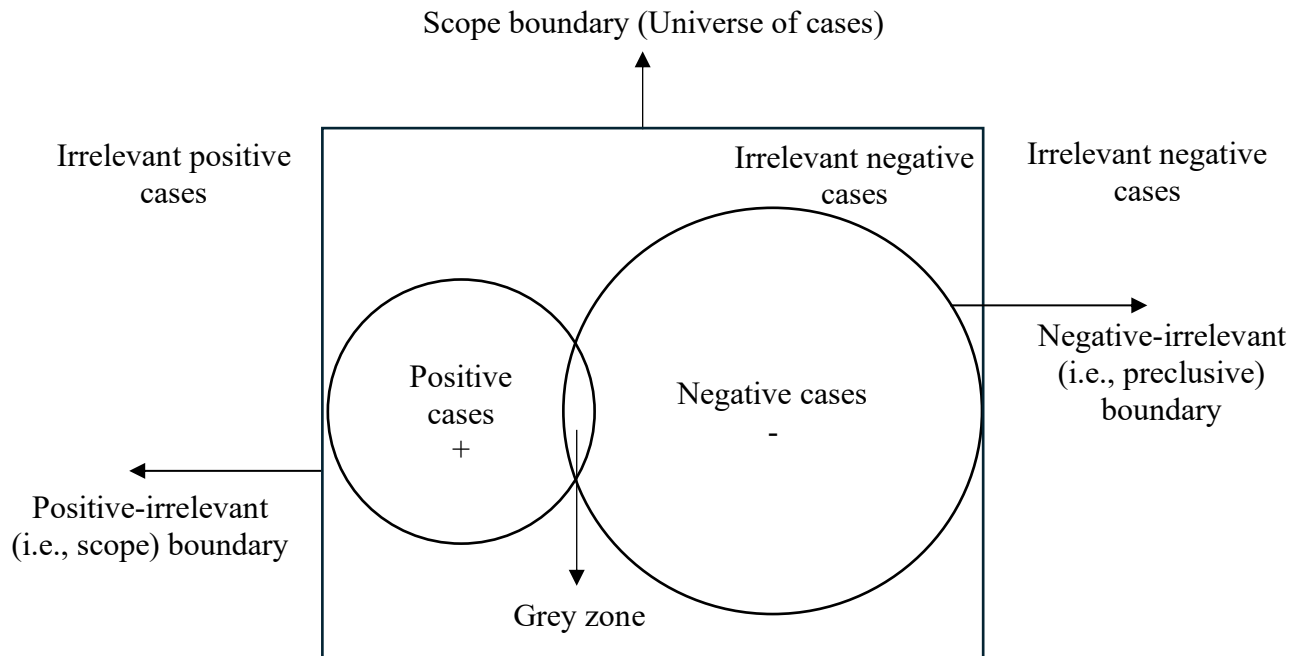
³¹ Ibid.

³² Ibid.

³³ See: Angela Chesler and Ernesto Verdeja, “Triggers of State-Led Mass Killing,” *International Studies Quarterly* 69, no. 1 (March 2025): 1–13, <https://doi.org/10.1093/isq/sqaf016>.

why the outcome is all but guaranteed to be absent in certain cases. In this regard, they are a type of necessary condition for the outcome—one that must be absent—rather than scope conditions that exclude cases from a theory’s applicability.³⁴ I therefore argue that a theory seeking to explain the conditions under which a phenomenon occurs should specify preclusive conditions, as they “explain away” irrelevant cases before delving into case study analysis.

Figure 2.1 Case Selection: Scope Versus Preclusive Conditions³⁵



³⁴ This diverges from Goetz’s view of scope conditions as “important” trivial necessary conditions. See: Goetz, “Trivialness, Relevance, and Relative Importance of Necessary or Sufficient Conditions in Social Science,” 94.

³⁵ This table is replicated from Mahoney and Goetz, “The Possibility Principle,” 655.

2.4 Underlying Versus Proximate Causes

In social science, the terms “factor,” “condition,” “cause,” and “variable” are used to describe actions, events, circumstances, or processes that contribute to the occurrence of phenomena. These terms can have different nuances—for instance, “condition” denoting either a theoretical requirement, a background or contextual factor, or simply a cause. Similarly, quantitative researchers typically use the term “variable,” while qualitative researchers often prefer “factor.” These colloquial nuances notwithstanding, this thesis follows major scholarship on qualitative research methodology in treating the terms as essentially interchangeable for the concept of a “cause.”³⁶

To explain intervention, I not only identify necessary and sufficient conditions, enabling factors, and preclusive conditions, but also specify whether these are **underlying** or **proximate causes**.³⁷ **Underlying causes**, often called “permissive” or “facilitating” conditions, are background or contextual conditions that must be present for an outcome to occur. In other words, they create a permissive environment for the outcome but still require additional conditions to trigger it. For instance, social grievance is an underlying cause of civil wars, creating conditions ripe for the resort to armed force. Similarly, ethnic divisions set the stage for mass atrocities by enabling the scapegoating of minorities. Yet, neither state weakness nor ethnic

³⁶ For example, the following scholars appear to treat these terms as interchangeable: Bear F. Braumoeller and Gary Goetz, “The Methodology of Necessary Conditions,” *American Journal of Political Science* 44, no. 4 (October 2000): 844–858; Gary Goetz, “Assessing the Importance of Necessary or Sufficient Conditions in Fuzzy-Set Social Science,” in *Fuzzy-Set Methods in Social Science Research*, ed. R. A. Ragin and S. T. Lieberman (Thousand Oaks, CA: Sage Publications, 2006), 1–19; Gary Goetz and Jack S. Levy, “Causal Explanation, Necessary Conditions, and Case Studies,” in *Explaining War and Peace: Case Studies and Necessary Condition Counterfactuals* (New York: Routledge, 2007), 9–45.

³⁷ I draw the framework of “underlying” versus “proximate” causes from: Michael E. Brown, ed., *The International Dimensions of Internal Conflict*, CSIA Studies in International Security, no. 10 (Cambridge, MA: MIT Press, May 17, 1996).

divisions *directly lead* to civil war or mass killing. Both require additional conditions—known as “proximate” causes—to trigger these outcomes.

Proximate causes are catalysts or triggers that produce an outcome or advance a causal process leading to it. They involve actions, decisions, or events linked to states, groups, or individuals.³⁸ Whereas underlying causes are structural or contextual, proximate causes involve *agents*, making them more direct drivers of phenomena.³⁹ For example, electoral disputes, assassinations, coups, and mass protests are events that can trigger civil war. Yet, without the necessary permissive conditions, such events rarely escalate on their own: in democracies, for instance, mass protests almost never lead to civil war. In contrast, authoritarianism creates a permissive environment for violent state repression of protests, which can easily spiral into armed conflict.

In sum, given the complexity of social phenomena, identifying only underlying or proximate causes is usually insufficient to explain outcomes in the social world. Any theory aiming to explain the conditions under which complex phenomena occur must account for both types of causes, as in most cases, only their *interaction* produces the outcome.

2.5 Deterministic Versus Probabilistic Causality

The final conceptual distinction the theory makes concerns causality, specifically the causal relationship between the conditions identified and the outcome of interest—intervention. There are two types of causal claims: **deterministic** and **probabilistic**.⁴⁰ These correspond to

³⁸ Levy and Goetz, 37.

³⁹ Ibid.

⁴⁰ Levy and Goetz, 10.

two “logics” of necessary conditions and to claims about enabling factors.⁴¹ The prevailing understanding of necessary conditions—the idea that X is a necessary condition for Y to occur—is the canonical formulation, *Y only if X*. Whenever Y occurs, X must be present, and if X is absent, Y cannot occur. This deterministic approach leads to the “common view of a necessary condition as being dichotomous.”⁴² Just as a proposition is either true or false, a cause is either necessary for an outcome, or it is not. According to this logic, as Gerry Goertz and Harvey Starr (2002) note, to say something is “virtually” or “almost always necessary” is nonsensical.⁴³

However, other logics of necessity support a non-dichotomous view of necessary conditions that allows them to be defined in probabilistic terms.⁴⁴ This approach recognizes that rather than being binary (either present or absent), many conditions can take on ordinal or continuous values. In such cases, it makes sense to say that these values probabilistically correlate with the outcome (for instance, a higher level or intensity of X increases the chances of Y). From this perspective, even dichotomous variables can be treated probabilistically.⁴⁵ The idea is that if the presence of a binary variable is “almost always necessary” for an outcome, with a highly limited number of exceptions, the necessary condition hypothesis clearly holds merit—often more so than a typical regression line.⁴⁶

Charles Ragin (2008) uses this idea to define the terms “**almost always necessary**” **conditions** or “virtual prerequisites”: conditions that are present in the vast majority of cases where an outcome occurs, but may be absent in a small number of cases.⁴⁷ I argue this concept

⁴¹ Gary Goertz and Harvey Starr, eds., *Necessary Conditions: Theory, Methodology, and Applications* (Lanham, MD: Rowman & Littlefield, 2002), 3.

⁴² *Ibid.*

⁴³ *Ibid.*

⁴⁴ *Ibid.*, 4.

⁴⁵ Braumoeller and Goetz, “The Methodology of Necessary Conditions,” 844–858.

⁴⁶ Goertz and Starr, *Necessary Conditions*, 10–11.

⁴⁷ See: Ragin, *Redesigning Social Inquiry*.

also reflects that some conditions might be present in all observed cases but could theoretically be absent in future cases due to exceptional circumstances. When necessary conditions, whether binary and ordinal, are viewed in such probabilistic terms, the “one counterexample and reject” approach to hypothesis testing no longer applies.⁴⁸ Rather than treating a single instance where an outcome occurs absent a necessary condition as sufficient to reject a hypothesis, this approach acknowledges that some factors may not always align with the outcome due to exceptional circumstances or real-world complexity.⁴⁹ For this reason, theories of complex, multi-causal phenomena (such as intervention) should usually make probabilistic causal claims.

The theory advanced in this thesis posits a small number of deterministic claims about necessity, asserting that if certain preclusive conditions are present, intervention is guaranteed to be absent. Otherwise, the theory adopts a probabilistic view of necessity, making *solely probabilistic claims* about necessary and jointly sufficient conditions. I argue that, together, the theorized set of necessary conditions is “almost always sufficient” for intervention to occur, meaning that this set of conditions makes intervention highly likely, but not certain.⁵⁰ Given the real-world complexity and contingency of collective decision-making, I do not claim this causal relationship is *deterministic*, such that intervention will *always* occur whenever these conditions align. Unforeseen contextual factors could theoretically block intervention in future cases, even if this set of conditions is present in every observed case. The causal claims advanced about enabling factors, which assert that certain conditions increase the likelihood of intervention, are likewise probabilistic. Insofar as enabling factors, by definition, increase the probability of an outcome occurring, they align naturally with a probabilistic view of causality.

⁴⁸ Ibid., 10.

⁴⁹ Ibid.

⁵⁰ Ibid.

Chapter 3

Theory of Security Council Intervention in Atrocity Crimes

“And the United States did have countless opportunities to mitigate and prevent slaughter. But time and again, decent men and women chose to look away. We have all been bystanders to genocide. The crucial question is why.”

– Samantha Power, 2002

To summarize the previous chapter, theories about the conditions under which phenomena occur can identify four types of causal conditions: **necessary**, **sufficient**, **enabling**, and **preclusive**. These conditions either make a phenomenon possible, guarantee that it will occur (individually or in combination), make it more likely to occur, or guarantee that it will not occur. Any of these conditions can be **underlying**, meaning they are structural or contextual circumstances, or **proximate**, involving the actions and decisions of governments or individual actors. Importantly, a theory can make two types of claims about the causal relationship between each type of condition and the outcome: **deterministic** or **probabilistic**. Deterministic causal claims state that certain conditions will always produce the outcome, or guarantee that the outcome will not occur, with no exceptions; if exceptions are found, they disprove the theory. In contrast, probabilistic causal claims either suggest that certain factors increase the likelihood of the outcome, or assert that conditions are “almost always” necessary or sufficient for it to occur, while acknowledging that exceptions may arise due to real-world complexity.

Building on these conceptual foundations, this section proposes a set of necessary conditions that, combined, are “almost always sufficient” for the Security Council to intervene in

atrocities crimes. It presents a “complete” causal explanation of intervention, first identifying preclusive conditions that render it impossible, then outlining key conditions that are individually necessary and jointly sufficient it to occur, along with enabling factors that facilitate intervention decisions.¹ The theory also notes whether certain conditions apply exclusively to specific measures (i.e., sanctions or military force), or to cases involving either state or non-state perpetrators. Crucially, it makes probabilistic claims about the causal relationship between these conditions and collective action, except for a small set of preclusive conditions that determine irrelevant cases.

Table 3.1 Theory of UNSC Intervention in Atrocity Crimes: Summary

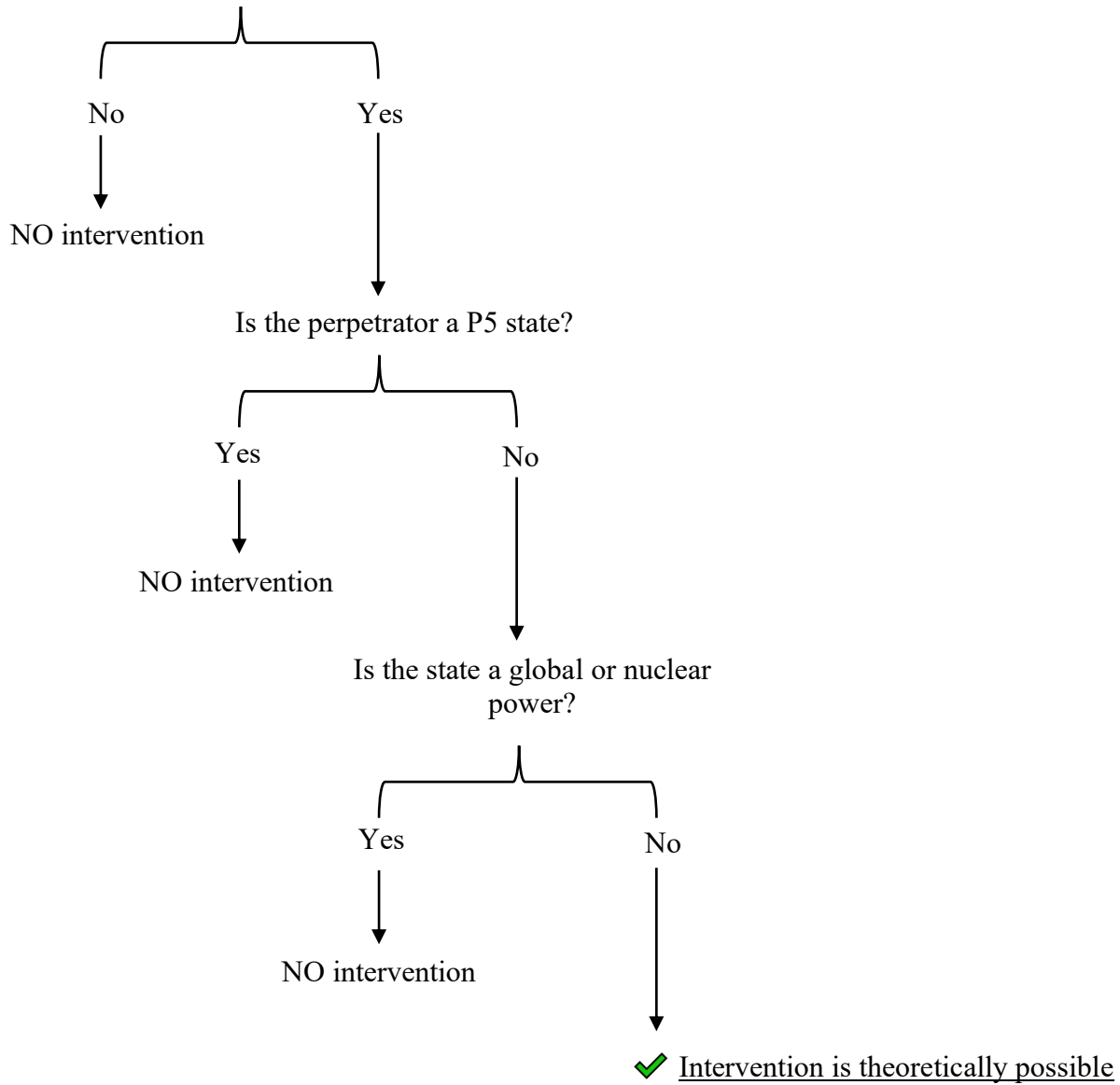
Causal Role	Causal Directness	Condition	Scope of Applicability
Preclusive	<i>Underlying</i>	Non-inclusion on the agenda	
		P5 perpetrator status	
		Global or nuclear power status	Military intervention, state actors
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	
		UN atrocity characterization	
		Regional request for/endorsement of intervention	Military intervention
		Target state consent for intervention	Military intervention, non-state actors
	<i>Underlying</i>	Absence of P5 alignment	
		Recognition of an international peace and security threat	
		Consensus on failure of non-coercive means	Military intervention
Enabling	<i>Proximate</i>	Secretary-General request for intervention	
	<i>Underlying</i>	R2P strength	
		Perpetrator military strength	Military intervention
		Rapid response capabilities	Military intervention

¹ Gary Goetz and Harvey Starr, eds., *Necessary Conditions: Theory, Methodology, and Applications* (Lanham, MD: Rowman & Littlefield, 2002), 22.

3.1 Preclusive Conditions

Figure 3.1 Preclusive Conditions for UNSC Intervention in Atrocity Crimes

Is the issue included on the agenda?



Non-Inclusion on the Agenda (*Underlying*)

The first condition that precludes the possibility of Security Council intervention in atrocity situations concerns agenda placement: **the Council must place a crisis on its agenda.** This is because, quite simply, the Council cannot deliberate or act on a crisis unless it reaches the agenda. Agenda placement is a binary condition: a situation is either included on the agenda, or it is not. If the Council places a situation on its agenda, Security Council deliberation and action become possible; if not, intervention remains impossible, with a zero chance of occurring.

Why some crises reach the Security Council agenda while others do not is a distinct research question, and a comprehensive literature review is beyond the scope of this chapter. However, a brief overview of key explanations for why certain crises receive the Council's attention is instructive, as they mirror broader arguments about intervention patterns. The selectivity of Security Council agenda-setting is not a moot point: from 1989 to 2019, Sudan appeared on the Council's agenda 244 times, whereas the civil war in Sri Lanka, despite being similarly prolonged and highly deadly, was never discussed.² Likewise, while the civil wars in Syria and Bosnia-Herzegovina were discussed at dozens of meetings, long-standing conflicts in India, Niger, and the Philippines have never been the subject of a Council meeting.³

As Magnus Lundgren and Mark Klamberg (2024) observe, two broad arguments have emerged about why the Security Council adopts crises on its agenda, which they refer to as the “governance” and “concert” perspectives.⁴ Other researchers describe this distinction in different terms—such as Kyle Beardsley and Holger Schmidt (2012), who call them “organizational

² Magnus Lundgren and Mark Klamberg, “Selective Attention: The United Nations Security Council and Armed Conflict,” *SSRN Electronic Journal*, April 23, 2024, 2, <https://doi.org/10.2139/ssrn.4804104>.

³ *Ibid.*

⁴ *Ibid.*, 4.

mission” and “parochial interests” explanatory models—but the core debate remains the same: whether the Council’s agenda is driven by humanitarian concerns or selfish interests.⁵

The literature offers mixed findings. Brian Frederking and Christopher Patane (2017) examined 40 armed conflicts between 2002 and 2013, finding that conflicts with higher death tolls and larger refugee flows are more likely to be placed on the Security Council agenda, with indicators of P5 interests playing a less significant role.⁶ In a more recent study of civil wars between 1990 and 2009, Michelle Benson and Theodora-Ismene Gizelis likewise found that high levels of rape and sexual violence increase the likelihood of crises being added to the agenda.⁷ In contrast, Susan Allen and Amy Yuen (2020, 2022) identify P5 interests as a key determinant of the Security Council’s meeting agenda.⁸ Finally, Martin Binder and Jonathan Golub (2020) find that while the Council responds to conflict severity, the parochial interests of the P5 also have significant predictive power.⁹

Lundgren and Klamberg argue that debate about whether Security Council agenda-setting is driven *either* by its organizational mission to maintain international peace and security or by great power politics is misguided—a view that aligns with the theoretical approach adopted here.¹⁰ As they put it, “the available evidence cannot lead us to reject either.”¹¹ They explain:

On the one hand, the Security Council is broadly responsive to armed violence, even in parts of the world where the P5 lack salient interests. On the other hand, the evidence

⁵ This debate closely parallels debates about why the Council intervenes among scholars of third-party intervention.

⁶ Brian Frederking and Christopher Patane, “Legitimacy and the UN Security Council Agenda,” *PS: Political Science & Politics* 50, no. 2 (2017): 347–53, <https://doi.org/10.1017/S104909651600278X>, quoted in *ibid.*, 4.

⁷ Michelle Benson and Therése Isabel Gizelis, “A Gendered Imperative: Does Sexual Violence Attract UN Attention in Civil Wars?” *Journal of Conflict Resolution* 64, no. 1 (2020): 167–98, <https://doi.org/10.1177/0022002719841125>, quoted in Lundgren and Karlberg, “Selective Attention,” 4.

⁸ Susan Hannah Allen and Amy T. Yuen, “As Time Goes By: Action in the UN Security Council,” *Global Studies Quarterly* 4, no. 3 (July 2024): 1–10, <https://doi.org/10.1093/isagsq/ksae056>, quoted in Lundgren and Karlberg, “Selective Attention,” 4.

⁹ Martin Binder and Jonathan Golub, “Civil Conflict and Agenda-Setting Speed in the United Nations Security Council,” *International Studies Quarterly* 64, no. 2 (June 2020): 419–30, <https://doi.org/10.1093/isq/sqaa017>, quoted in Lundgren and Karlberg, “Selective Attention,” 4.

¹⁰ Lundgren and Karlberg, “Selective Attention,” 34.

¹¹ *Ibid.*

suggests that the P5 shape the Council's agenda to protect their interests. Going forward, researchers should abandon the ambition to resolve the debate between the sweeping claims implicit to the "governance" and "concert" perspectives. The focus should rather lie on developing conditional theories of the precise factors and mechanisms that influence how Council members balance their parochial interests against the broader goals laid down in the UN Charter.¹²

This thesis takes precisely that approach. Rather than treating norms and interests as competing explanations for Council decisions, it proposes a framework to explain how these motives combine and interact to shape decision-making outcomes.

P5 Perpetrator Status Versus Absence of P5 Alignment (*Underlying*)

Still, there is no doubt that, due to the structural design of the Security Council, parochial interests significantly influence collective decision-making. The second preclusive condition that rules out intervention reflects this dynamic: **the perpetrator of atrocity crimes must not be a P5 state itself**. A perpetrator's P5 status is also binary—either they are a P5 state, or they are not—and, like agenda placement, it determines whether intervention is possible in the first place. If a P5 state is itself committing atrocity crimes, the chance of intervention is “approximately zero,” as P5 members can veto any resolution targeting themselves.

Importantly, *alignment* between a P5 state and a perpetrator government is often thought of as similarly preclusive. P5 members routinely shield states from condemnation and action because they maintain close bilateral relations, or because it serves their broader strategic interests. Yet, no alliance is permanent, and the degree to which shielding a state serves a P5 member's interests is always circumstantial. For this reason, I argue that P5 alignment should *not* be treated as a preclusive condition. Any form of alignment introduces contingency into the willingness to block collective action, making P5 alignment a *probabilistic necessary condition*

¹² Ibid.

rather than a *deterministic preclusive one*. As such, examining these cases can still yield valuable insight into how the interaction between different conditions either leads to or blocks intervention decisions.

To be sure, a gray zone exists between “truly” preclusive conditions that render intervention impossible, and necessary conditions whose absence makes it highly unlikely. P5 alignment with a perpetrator government falls into this category. The key difference lies in whether the value of the condition is determined by structure or context: structural conditions are fixed or stable, whereas contextual ones are variable and subject to change. Intervention is *structurally* impossible in situations that never reach the agenda, where the Council’s institutional design guarantees it will be blocked, or when it is militarily infeasible. That is why these conditions are preclusive and render cases that fail to meet them irrelevant for case study analysis.

By contrast, alignment is inherently *contextual*. Even close alignment can shift over time, including during the span of a crisis, due to changing circumstances. For instance, an increasingly irrational perpetrator unwilling to negotiate might diplomatically isolate itself from a P5 ally, or certain acts could provoke such strong blowback that continued defense of the perpetrators is intolerably costly. I therefore do not treat intervention as automatically ruled out in cases of P5 alignment with a perpetrator state. However unlikely, if there is a real possibility that contextual factors could shift a state’s incentives to protect the perpetrators—and context can always change—intervention, too, remains theoretically possible.¹³

¹³ Arguably, Western states would not have repeatedly attempted to sanction Syria for nearly a decade if they believed it was impossible that Russia’s incentives to shield Assad could shift. Similarly, although the United States under the Biden administration steadfastly defended Israel’s war in Gaza in the Security Council, the return of Donald Trump to the presidency has introduced uncertainty about the future limits of U.S. support.

How, exactly, does the strength of P5 alignment correlate with the likelihood of intervention? I argue that when P5 states **closely** align with the perpetrators—typically due to longstanding bilateral relations and strong forms of political, economic, and security cooperation—intervention is so unlikely that the absence of such alignment a necessary condition for intervention. Notorious examples include Russia’s alliance with Syria and China’s support for Myanmar, both of which successfully blocked intervention in the atrocities of their respective civil wars. At the same time, alignment differs from alliance. While alliances typically form the basis for strong alignment, P5 members sometimes shield states with which they lack formal or longstanding alliances but still align because doing so serves their strategic interests. Even in these situations, intervention remains unlikely.

This contrasts with a dynamic I call **moderate alignment**. Here, a P5 member has interests in shielding a perpetrator state, but they are not strategic or security priorities—for instance, economic partnerships or limited forms of security cooperation. In such cases, a P5 state’s willingness to shield a perpetrator is more contingent and can be outweighed by strong pressure to intervene. At the other end of the spectrum, intervention is mostly likely when there is **weak or no alignment** between P5 members and a perpetrator state. In these cases, any relationship is limited to peripheral, non-strategic interactions (such as minor trade or economic partnerships), leaving the perpetrators diplomatically and militarily vulnerable to intervention.

Table 3.2 Causal Effects of P5 Perpetrator Status or P5 Alignment with Perpetrators

Condition	Causal Role	Causal Directness	Causal Effect	Type of Causal Claim
P5 status (perpetrator is a P5 state)	Preclusive	Underlying	Intervention is structurally impossible due to veto power	Deterministic
Strong P5 alignment with perpetrator government	Necessary	Underlying	Intervention is highly unlikely	Probabilistic

Moderate or weak P5 alignment with perpetrator government	Enabling	Underlying	Intervention is more likely; weaker alignment increases likelihood of occurrence	Probabilistic
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When Considering Military Intervention in State-Perpetrated Atrocity Crimes

Absence of Global or Nuclear Power Status (*Underlying*)

The third preclusive condition for Security Council intervention, applicable only to cases of *military intervention against state perpetrators of atrocity crimes*, concerns the military strength of the target state. For military intervention to be theoretically possible, **the perpetrator state must not be a global power or a nuclear-armed state**. Interventions against global military powers and/or nuclear-armed states are practically inconceivable due to their robust capabilities to resist external intervention, along with the threat of nuclear escalation. These factors make military intervention prohibitively costly, create intolerable risks, and significantly reduce the chances of successfully halting the perpetrators, driving the probability of Security Council authorization to near zero.

Table 3.3 Levels of State Military Strength¹⁴

Category	Definition	Examples (as of 2025) ¹⁵
Nuclear Powers	States that possess nuclear weapons	Russia, United States, China, France, United Kingdom, Pakistan, India, Israel, North Korea ¹⁶

¹⁴ This table provides a general guide to evaluating states’ military capabilities and how these might influence perceptions of their ability to sustain resistance to external intervention; it is not intended to serve as a definitive ranking or framework.

¹⁵ See: Global Firepower, “Countries List,” <https://www.globalfirepower.com/countries-listing.php>.

¹⁶ See: International Campaign to Abolish Nuclear Weapons (ICAN), “Countries with Nuclear Weapons,” https://www.icanw.org/nuclear_arsenals.

Global Military Powers	States with superior military capacity, capability, and readiness, including independent, full-spectrum defense-industrial bases; able to project force globally	China, Russia, United States
Regional Military Powers	States with large, powerful, modernized militaries, strong but not fully independent defense industries; ¹⁷ able to project force regionally, some global projection capabilities	France, United Kingdom, Japan, South Korea, India, Pakistan, Iran, ¹⁸ Israel, Turkey
Major Middle Powers	States with significant military assets but more limited ability to shape regional power balances; often rely on imports and foreign supply chains	Egypt, Brazil, Saudi Arabia, Indonesia, Ukraine, Taiwan
Small Middle Powers	States with considerable military assets but limited regional force projection capabilities; small defense industries, primarily focused on domestic security	Colombia, Ethiopia, Mexico, Myanmar, Nigeria, South Africa
Weak Military Powers	States with weak military capacity, capability, and readiness, challenged in addressing both internal and external threats; no significant defense industry	Landlocked states in Sub-Saharan Africa and Central America (e.g., Nicaragua), small Caribbean nations (e.g., Haiti)
Very Weak Military Powers	States with extremely limited or no standing forces	Some Caribbean and Pacific Island nations

As noted in Chapter 1, there are no precise thresholds for military strength, and perception of strength often matters as much, if not more, than actual material capabilities for deterrence. Still, most definitions of military strength include key dimensions such as defense spending, the size and training of armed forces, technological advancement, combat readiness, and the ability to project force.¹⁹ For instance, the Heritage Foundation, which publishes an annual index of states’ military strength, evaluates military power based on “capability,”

¹⁷ Except for France and the United Kingdom, which both have largely independent, full-spectrum industries that rely minimally on external suppliers.

¹⁸ While Iran has long been considered a major player in the broader Middle East region, its conventional and proxy military capabilities have been significantly degraded since 2023, particularly through Israel’s decimation of Hamas and Hezbollah and U.S. and Israeli strikes on Iranian nuclear facilities in June 2025.

¹⁹ International Institute for Strategic Studies (IISS), *The Military Balance 2025*, 2025, <https://www.iiiss.org/publications/the-military-balance/>.

“capacity,” and “readiness.”²⁰ These criteria encompass resources allocated to military forces (including manpower, equipment, and training), operational capabilities (such as transport and defense intelligence), and the ability to respond promptly and effectively to threats.²¹ A country’s defense-industrial capacity is also a key measure of its ability to sustain prolonged military operations. Global Firepower, which ranks modern military powers, bases its rankings on “each nation’s potential war-making capability across land, sea, and air combat by conventional means,”²² including factors related to manpower, equipment, natural resources, spending, and geography.

Assessing the military strength of each state in Table A1 against these standards is beyond the scope of this chapter. Instead, the practical approach adopted excludes global powers and nuclear-armed states from the theoretical possibility of intervention. **Global military powers** are states with exceptionally large, well-trained and equipped, and technologically advanced militaries that maintain high levels of combat readiness and are capable of projecting force globally.²³ They can sustain large-scale military operations and rapidly respond to threats, and are supported by full-spectrum defense-industrial bases, modernized armed forces (including air and naval fleets), advanced military technology, and global force projection infrastructure (such as international bases).²⁴ By this standard, intervention is automatically ruled out against China, Russia, and the United States, which are generally considered the three most powerful militaries in the world. This holds true both on their own territory and where they are directly

²⁰ The Heritage Foundation, “Introduction: An Assessment of U.S. Military Power,” *2024 Index of U.S. Military Strength*, January 24, 2024, <https://www.heritage.org/military-strength/intro-assessment-us-military-power>.

²¹ Ibid.; See: G. James Herrera, *The Fundamentals of Military Readiness*, CRS Report R46559 (Washington, DC: Congressional Research Service, October 2, 2020), <https://sgp.fas.org/crs/natsec/R46559.pdf>.

²² Global Firepower, “2025 World Military Strength Rankings,” <https://www.globalfirepower.com>.

²³ Assessments of the United States’ military strength serve as a useful benchmark. See: The Heritage Foundation, “Introduction: An Assessment of U.S. Military Power,” *2024 Index of U.S. Military Strength*, January 24, 2024, <https://www.heritage.org/military-strength/intro-assessment-us-military-power>.

²⁴ Ibid.

engaged in combat, such as in Ukraine, theoretically in Taiwan, or previously in Iraq and Afghanistan.²⁵

Of course, non-intervention in these states is also structurally determined by their P5 status: China, Russia, and the United States—as well as France and the United Kingdom—can veto any resolution against them. Independently of P5 status, I argue that military intervention is automatically ruled out against any other nuclear-armed state, with the chances being “approximately zero.” Given the prospect of nuclear escalation in response to any territorial incursion, military intervention is so unlikely to occur it can be considered effectively impossible. These states include France, the United Kingdom, India, Pakistan, North Korea, and Israel/the Occupied Palestinian Territory (though the Israeli government does not publicly acknowledge its nuclear arsenal).

Below these thresholds, the relative military strength of a target state serves as an enabling factor: the weaker the military, the more likely intervention becomes. For non-nuclear-armed regional powers such as Turkey, Japan, and South Korea, intervention is, of course, highly unlikely, though not inconceivable (Iran, for instance, was still widely considered a regional power, despite setbacks and vulnerabilities, when Israel bombed it in June 2025). Even for **middle** and **small middle powers**—such as Colombia, Myanmar, or Ethiopia—the potential for moderately effective resistance increases the complexity and potential costs of intervention, making it unlikely unless a P5 state commits substantial resources and successfully sways states

²⁵ In the twenty-first century, Russia and the United States have engaged in direct combat inside other states, while China has not. Russia invaded Georgia in 2008, annexed Crimea in 2014, and launched a full-scale invasion of Ukraine in 2022. The United States invaded Afghanistan in 2001, Iraq in 2003, conducted airstrikes in Libya in 2011, and launched military operations in Syria beginning in 2014. By contrast, China’s has only engaged in a minor border skirmish (specifically a 2020 border clash with India), without directly engaging combat inside other states.

to act.²⁶ This leaves as the most likely targets states with **weak** or **very weak militaries**, whose limited capabilities reduce the risks and costs for third-party states while increasing the prospects of successfully disabling the perpetrators. These states typically have low defense budgets, use outdated military technology, and maintain small, poorly trained armed forces. Countries that fit this profile are typically small, poor, and landlocked, including in Western and sub-Saharan Africa, Central and South Asia, Central America and the Caribbean, the Pacific Islands, and parts of the Middle East and Eastern Europe.²⁷

3.2 Necessary Conditions

The preclusive conditions outlined above help explain why the Security Council has not intervened in numerous atrocity situations over the past two decades, including both high-profile and lesser-known cases. In many instances, crises were never placed on the agenda, from Sri Lanka to Thailand, India, Pakistan, Iran, Burkina Faso, Colombia, Mexico, and Nicaragua. In other cases, the perpetrator was a P5 state, such as in Xinjiang and Ukraine, or a nuclear power—namely North Korea—ruling out intervention. In all cases, intervention was all but guaranteed to be absent, making them irrelevant to the case study section of the thesis.

Among the remaining cases in Table A1 where intervention was theoretically possible, the question remains: why has the Council intervened in some situations but not others? This thesis argues that, within these boundaries of possibility, three proximate causes or “catalysts” must occur in succession for the Security Council to intervene in **state-perpetrated atrocity**

²⁶ See: Jared Genser, “The United Nations Security Council’s Implementation of the Responsibility to Protect: A Review of Past Interventions and Recommendations for Improvement,” *Chicago Journal of International Law* 18, no. 2 (2018): Article 2, <https://chicagounbound.uchicago.edu/cjil/vol18/iss2/2>.

²⁷ Examples include Afghanistan, Armenia, Chad, Guinea, Haiti, Honduras, Kyrgyzstan, Mali, Nicaragua, and Yemen.

crimes (reflecting material, institutional, and political dynamics, respectively), with a fourth trigger required for intervention against **non-state armed groups**. Furthermore, three underlying conditions must be present for these catalysts to advance the decision-making process.

Figure 3.2 Jointly Sufficient Conditions for UNSC Intervention in State-Perpetrated Atrocities

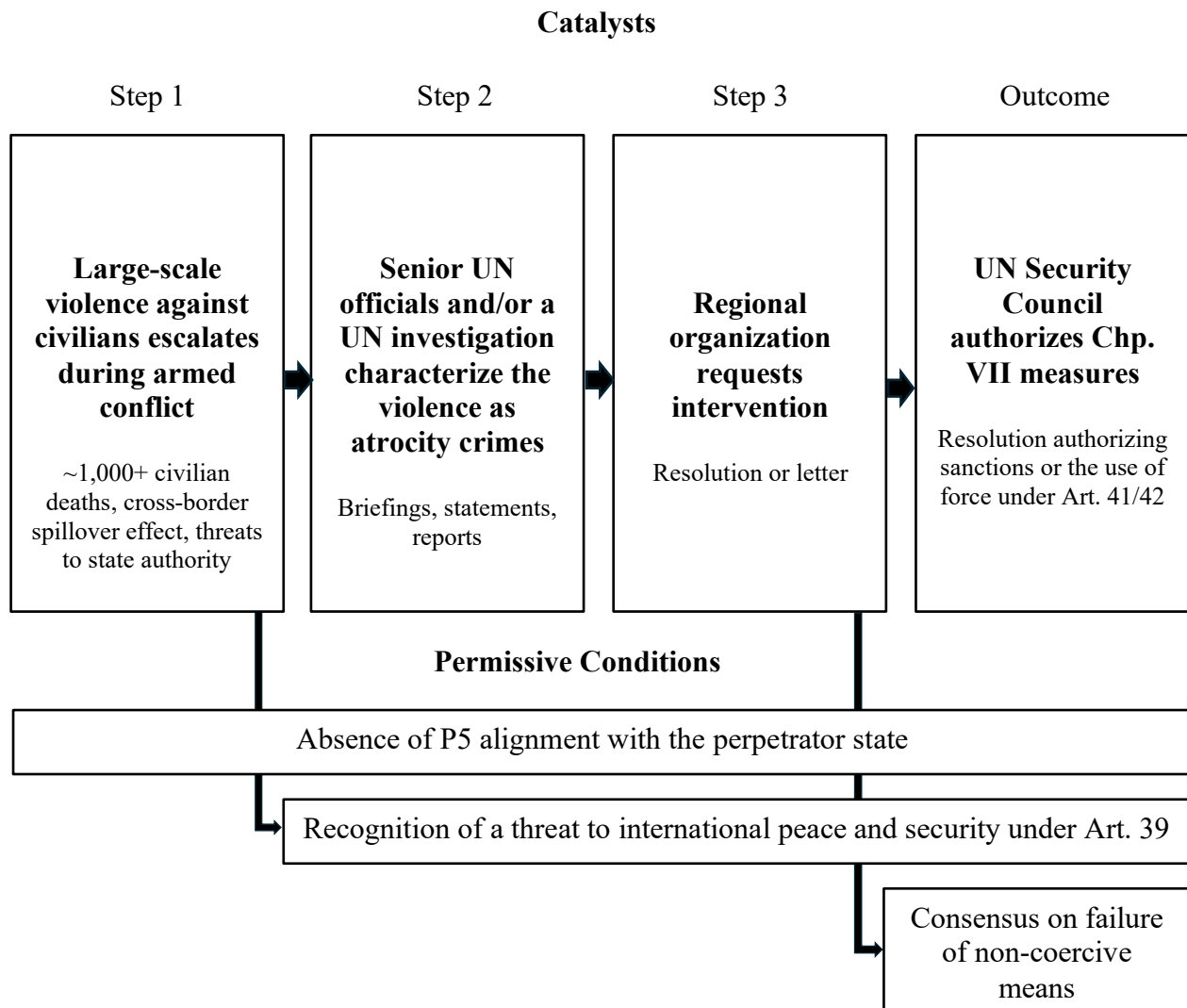


Figure 3.3 Jointly Sufficient Conditions for UNSC Intervention in Non-State-Perpetrated Atrocities

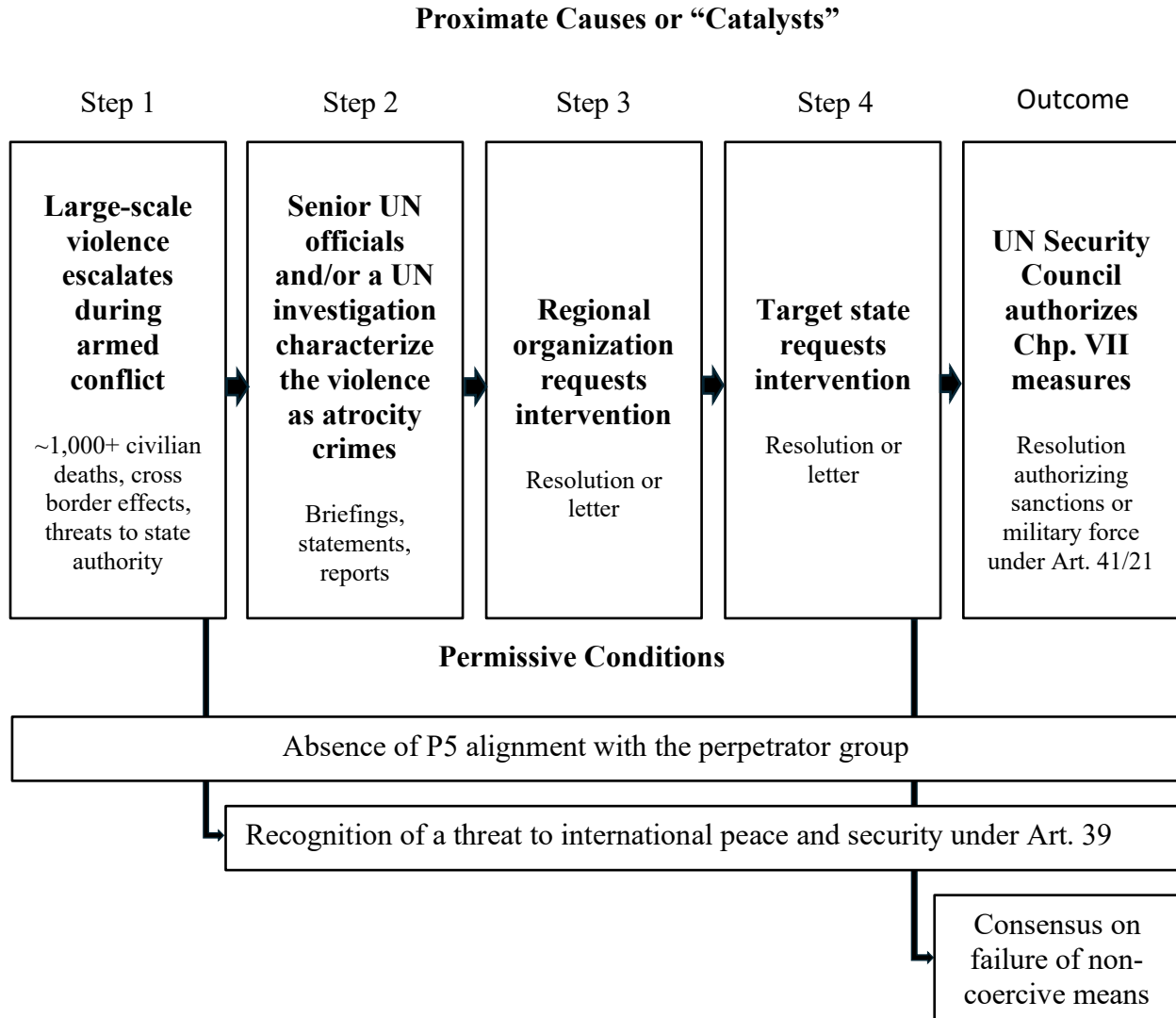


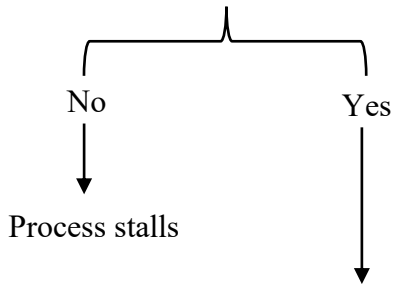
Figure 3.4 The Jointly Sufficient Set for UNSC Intervention: A Visualization

Step 1

Does large-scale violence against civilians emerge during armed conflict?

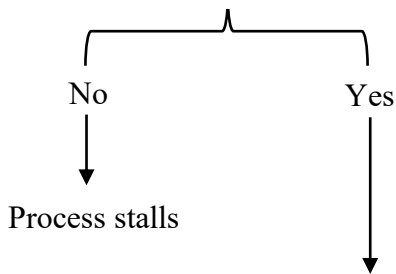
**Assumes absence of preclusive conditions*

- ✓ Situation is included on the agenda
- X Perpetrator is not a P5
- X Perpetrator is not a global or nuclear power



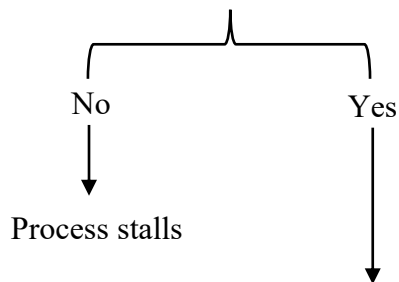
Step 2

Does a senior UN official or a UN investigation characterize the violence as atrocity crimes?



Step 3

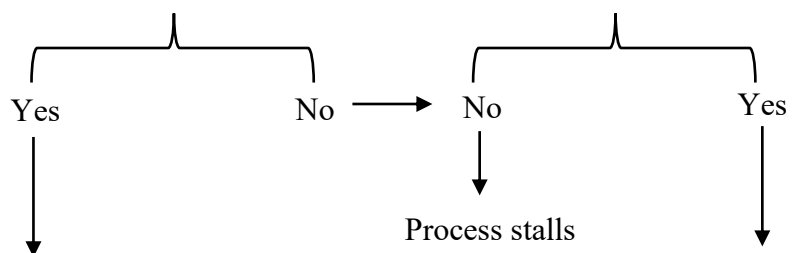
Does a regional organization request or endorse international intervention?



Step 4

Does the target state request international intervention?

Are perpetrators state actors?



Underlying Conditions

- X No P5 alignment
- ✓ Recognition of Art. 39 threat
- ✓ Consensus on failure of peaceful means

INTERVENTION

INTERVENTION

Gravity and Context of the Violence (*Proximate*)

First, violence against civilians occurring within a state must **(1) reach a level of gravity** and **(2) occur within a context** that members of the Security Council agree constitute a threat to international peace and security. In practice, this requires the escalation of large-scale, systematic atrocity crimes—defined as extensive, organized attacks against civilians that are geographically widespread and sustained over time—during armed conflict.²⁸ Acts that can amount to atrocity crimes include murder, targeting of civilians, torture, forced population removal, destruction of cultural property, rape, and other forms of sexual violence, all of which strongly correlate with civil and interstate wars.

As noted in Chapter 1, large-scale, systematic violence against civilians can also occur in various peacetime contexts, including state repression (typically as part of broader efforts to persecute minorities), intercommunal violence (frequently triggered by electoral disputes, coups, or religious or identity-based flashpoints), post-war retribution (following ceasefire agreements), or organized criminal violence.²⁹ However, this thesis finds that the Security Council has never authorized enforcement measures in response to mass violence against civilians occurring in the absence of hostilities, for reasons explored in the following section.³⁰ Specifically, it has exclusively intervened in attacks against civilians occurring during non-international armed conflicts (i.e., civil wars), and in none committed during international armed conflicts (i.e.,

²⁸ Scott Straus, “What Is Being Prevented? Genocide, Mass Atrocity, and Conceptual Ambiguity in the Anti-Atrocity Movement,” in *Reconstructing Atrocity Prevention*, ed. S. Rosenberg, T. Galis, and A. Zucker (Cambridge: Cambridge University Press), 54–75.

²⁹ Examples include the detention camps in Xinjiang and North Korea (state repression); the 2002 Gujarat riots in India (internal communal violence); 2009 killings in Sri Lanka (post-war retribution); and Mexico’s war on drugs (organized criminal violence).

³⁰ This is partly because the theorized preclusive conditions automatically exclude almost every peacetime atrocity situation in Table A1: either the Security Council never placed them on the agenda in the first place, or the perpetrator was a P5 or nuclear power (e.g., Mexico, Nicaragua, Xinjiang, and North Korea).

interstate wars). This pattern is partly explained by the fact that, especially since the Cold War, civil wars have become far more frequent than interstate wars, with the vast majority of armed conflicts since 1989 being intrastate.³¹ At the same time, Russia—a P5 state—was a direct party to two of the three interstate wars that have occurred since 2005 and had geopolitical interests in shielding the government in the third, ruling out intervention and making it highly unlikely, respectively.³²

Table 3.4 Context of UNSC Interventions in Atrocity Crimes, 2005–Present

Atrocity Situation	During Armed Conflict?	Civil or Interstate War?	Interstate Elements
Sudan (2006)	Yes	Civil	
Côte d’Ivoire (2011)	Yes	Civil	
Libya (2011)	Yes	Civil	
DRC (2013)	Yes	Civil (some interstate elements)	Rwandan/Ugandan support for the M23 rebels
Mali (2013)	Yes	Civil	
CAR (2013/14)	Yes	Civil	
South Sudan (2016)	Yes	Civil	

Table 3.5 Interstate Armed Conflicts Since 2005

Year	Conflict	Parties	Context	Alleged Atrocity Crimes?	Est. Civilian Death Toll	UNSC Intervention?	P5 involvement?
2008	Russo-Georgian War	Russia vs. Georgia	Tensions over Russian-backed separatist regions of South Ossetia	Yes ³³	Low to medium scale (200–300) ³⁴	No	P5 perpetrator

³¹ Thomas S. Szayna et al., *What Are the Trends in Armed Conflicts, and What Do They Mean for U.S. Defense Policy?* RAND Corporation, 2017, https://www.rand.org/content/dam/rand/pubs/research_reports/RR1900/RR1904/RAND_RR1904.pdf.

³² Although Russia maintains a formal alliance with Armenia under the Collective Security Treaty Organization (CSTO), a mutual defense pact, it refrained from opposing Azerbaijan’s military incursion, partly due to Turkey’s strong support for Baku, and partly because it was vying to position itself as a neutral mediator in the region.

³³ See: International Criminal Court, “Georgia,” <https://www.icc-cpi.int/georgia>.

³⁴ “16th Anniversary of Russia-Georgia 2008 War – International Reactions,” *Civil Georgia*, July 8, 2024, <https://civil.ge/archives/619298>.

			and Abkhazia in Georgia				
2020	Nagorno-Karabakh War	Azerbaijan (backed by Turkey) vs. Armenia	Escalation of long-standing conflict over Nagorno-Karabakh region	Yes ³⁵	Low to medium scale (200) ³⁶	No	P5 alignment (Russian alignment with Turkey, strategic interest in mediating)
2022	Russia-Ukraine War	Russia vs. Ukraine	Full-scale Russian invasion of Ukraine	Yes ³⁷	Large scale (12k+) ³⁸	No	P5 perpetrator

With respect to scale, there is no numerical threshold for **large-scale violence** against civilians (as opposed to medium or low-scale violence), and civilian death tolls are notoriously difficult to accurately determine.³⁹ Moreover, death tolls do not reflect all types of atrocity situations, as not all violence amounting to atrocity crimes results in death. For instance, neither forced population removal, torture, nor sexual violence necessarily lead to death, but they can still constitute international crimes. Nonetheless, estimates of direct conflict-related civilian death tolls present the best—albeit an imperfect—way to judge the gravity of an atrocity situation. This thesis estimates that, except for the 2012–2013 crisis in Mali, the Security Council has never intervened coercively in an atrocity situation with a reported civilian death toll lower than approximately 1,000 by the time of authorization.⁴⁰

³⁵ Freedom House, *Why Are There No Armenians in Nagorno-Karabakh?*, June 2024, https://freedomhouse.org/sites/default/files/2024-06/DDF_FH-REPORT_06.2024.pdf.

³⁶ Amnesty International, “Azerbaijan/Armenia: Scores of Civilians Killed by Indiscriminate Use of Weapons in Conflict over Nagorno-Karabakh,” *Amnesty International*, January 14, 2021, <https://www.amnesty.org/en/latest/press-release/2021/01/azerbaijan-armenia-scores-of-civilians-killed-by-indiscriminate-use-of-weapons-in-conflict-over-nagorno-karabakh/>; Council on Foreign Relations, “Nagorno-Karabakh Conflict,” *Global Conflict Tracker*, updated March 20, 2025, <https://www.cfr.org/global-conflict-tracker/conflict/nagorno-karabakh-conflict>.

³⁷ International Criminal Court, “Ukraine,” <https://www.icc-cpi.int/situations/ukraine>.

³⁸ Statista, “Civilian Deaths Related to Russia-Ukraine Conflict 2014–2025,” March 22, 2025, <https://www.statista.com/statistics/1293409/civilian-deaths-related-to-russia-ukraine-conflict/>.

³⁹ Challenges to accurate data collection and reporting amid active hostilities are myriad, including restricted access to areas affected by violence, distinguishing civilians from combatants, and attempts by perpetrators to conceal civilian deaths or manipulate casualty figures.

⁴⁰ In the case of Mali, the primary motivation for intervention was to halt an Islamist insurgency threatening state collapse, not principally civilian protection. See: United Nations Security Council (UNSC), S/RES/2085,

Table 3.6 Levels of Violence Against Civilians: Approximate Thresholds⁴¹

Scale	Civilian Deaths	Description
Large-scale	1,000+	Widespread, systematic violence, sustained over time and geographic regions; often causes significant spillover effects
Medium-scale	100–1,000	Violence that escalates following a triggering event, usually more localized or sporadic; limited spillover effects
Small-scale	<100	Isolated or limited incidents of violence, geographically contained and short-lived; few to no spillover effects

Table 3.7 UNSC Intervention in Atrocity Crimes: Estimated Civilian Death Toll⁴²

Country	Scale	Est. Civilian Death Toll	Intervention Measure(s)	Authorization Date(s)
Sudan	Large	2003–2006: 200,000 ⁴³	Military force	August 31, 2006
Libya	Large	Initial suppression of protests (February 15–March 1, 2011): 500–700 ⁴⁴ February 25, 2011: UN High Commissioner for Human Rights states, “reports indicate that thousands may have been killed or injured” ⁴⁵ March 2, 2011: International Federation for	Sanctions, military force	February 26, 2011 March 17, 2011

December 20, 2012, [https://docs.un.org/S/RES/2085\(2012\)](https://docs.un.org/S/RES/2085(2012)); UNSC, S/RES/2100, April 25, 2013, [https://docs.un.org/S/RES/2100\(2013\)](https://docs.un.org/S/RES/2100(2013)). I was unable to find reliable real-time data on civilian death tolls during the Tuareg rebellion, making it difficult to determine whether fatalities crossed 1,000-person threshold.

⁴¹ See: Scott Straus, “What Is Being Prevented? Genocide, Mass Atrocity, and Conceptual Ambiguity in the Anti-Atrocity Movement,” in *Reconstructing Atrocity Prevention*, ed. Sheri P. Rosenberg, Tibi Galis, and Alex Zucker (Cambridge: Cambridge University Press, 2015).

⁴² As mentioned earlier, accurately determining civilian death tolls amid ongoing armed conflict is extremely difficult, and reported figures are often either overestimates or underestimates. This table represents a preliminary attempt to estimate the number of deaths both over the course of entire conflicts and during key moments of escalation preceding Security Council intervention based on open-source media.

⁴³ Maggie Farley, “U.N. Puts Darfur Death Toll at 300,000,” *Los Angeles Times*, April 23, 2008, <https://www.latimes.com/archives/la-xpm-2008-apr-23-fg-darfur23-story.html>.

⁴⁴ “Libya,” American Bar Association International Criminal Court Project, <https://www.abajic.org/situations/libya/>.

⁴⁵ United Nations (UN) News, “UN Rights Council Recommends Suspending Libya, Orders Inquiry into Abuses,” February 25, 2011, <https://news.un.org/en/story/2011/02/367602>. The actual civilian death toll is now estimated to be lower.

		Human Rights reports 3,000 killed ⁴⁶ March 2, 2011: Libyan Human Rights League reports 6,000 killed ⁴⁷		
Côte d’Ivoire	Large	December 2010–March 2011: 1,300 ⁴⁸ Duékoué massacre (March 27–29, 2011): 800	Sanctions, military force	March 30, 2011
Democratic Republic of Congo	Large	Civil war (1996–2013): 6 million ⁴⁹ M23 rebellion (April 2012–November 2013): UN OHCHR reports 263 deaths ⁵⁰ Goma offensive (November 2013): <i>The Atlantic</i> reports “several hundred” ⁵¹ civilian deaths	Military force	March 28, 2013
Central African Republic	Large	Séléka rebel offensive (December 2012–December 2013): 1,000–2,000 ⁵²	Military force	December 5, 2013 April 20, 2014

⁴⁶ International Federation for Human Rights (FIDH), “Massacres in Libya: The international community must respond urgently,” February 21, 2011, <https://www.fidh.org/en/region/north-africa-middle-east/libya/Massacres-in-Libya-The>.

⁴⁷ The Jerusalem Post, “Libyan Human Rights League: 6,000 Dead in Gov’t Crackdown,” March 2, 2011, <https://www.jpost.com/breaking-news/libyan-human-rights-league-6000-dead-in-govt-crackdown>.

⁴⁸ Pauline Bax, David Smith, and Kim Willsher, “Ivory Coast Prepares for Showdown as Ouattara’s Men Mass North of Abidjan,” *The Guardian*, April 3, 2011, <https://www.theguardian.com/world/2011/apr/03/ivory-coast-ouattara-militias-mass>; UN News, “Death Toll in Ivorian Post-Election Violence Surpassed 1,000,” May 26, 2011, <https://news.un.org/en/story/2011/05/376492>; United States Department of State, *2012 Country Reports on Human Rights Practices*, April 19, 2013, <https://www.refworld.org/reference/annualreport/usdos/2012/en/86546>.

⁴⁹ Council on Foreign Relations, “Violence in the Democratic Republic of the Congo,” *Global Conflict Tracker*, updated on June 9, 2025, <https://www.cfr.org/global-conflict-tracker/conflict/violence-democratic-republic-congo>.

⁵⁰ Office of the United Nations High Commissioner for Human Rights, “Mass Arbitrary Executions of Civilians, Including Dozens of Children, in Southern Masisi, Eastern DRC – UN Report,” press release, November 14, 2012, <https://www.ohchr.org/en/press-releases/2012/11/mass-arbitrary-execution-civilians-including-dozens-children-southern-masisi>.

⁵¹ Alan Taylor, “Rebel Attacks in Eastern Congo,” *The Atlantic*, November 27, 2012, <https://www.theatlantic.com/photo/2012/11/rebel-attacks-in-eastern-congo/100413/>.

⁵² Human Rights Watch, “Central African Republic: Seleka Forces Kill Scores, Burn Villages,” *Human Rights Watch*, June 27, 2013, <https://www.hrw.org/news/2013/06/27/central-african-republic-seleka-forces-kill-scores-burn-villages>; UN News, “Over 600 People Killed, 159,000 Displaced in Central African Republic – UN,” December 13, 2013, <https://news.un.org/en/story/2013/12/457782>; Marie-Louise Gumuchian, “Nearly 1,000 Killed over 2 Days in Central African Republic,” *CNN*, December 18, 2013, <https://www.cnn.com/2013/12/18/world/africa/car-violence>.

		Highest single day death toll (December 5–6, 2013): 600–1,000 ⁵³		
Mali	NA	Islamist Rebel Offensive: NA	Military force	December 20, 2012 April 25, 2013
South Sudan	Large	Civil war (2013–2016): 50,000 ⁵⁴ Escalating violence in Juba (July 2016): 300–400 ⁵⁵	Military force	August 12, 2016

Importantly, large-scale violence against civilians during armed conflict is almost always accompanied by broader humanitarian crises that impact third-party states. These may include refugee flows, food shortages, public health emergencies, transnational criminal activity such as arms trafficking, terrorist threats, trade disruption, and economic collapse. When such violence occurs in the context of armed conflict, it also tends to coincide with extreme threats to the state itself. In cases of interstate war, these threats involve direct territorial incursions by another state, which can result in partial or full state collapse. Civil wars, meanwhile, frequently produce total or partial state collapse or the imminent risk of collapse due to coups or insurgencies. Large-scale wartime violence against civilians thus tends to unfold alongside other events the Security Council routinely recognizes as threats to international peace and security. As the following section discusses, this overlap increases the likelihood that such situations will be recognized as threats to the peace, creating incentives for the Council to intervene not only to protect civilians, but also to address the broader security risks involved.

⁵³ Global Centre for the Responsibility to Protect, *The Central African Republic: Understanding the Séléka Rebellion* (Occasional Paper, July 2020), https://www.globalr2p.org/wp-content/uploads/2020/07/OccasionalPaper_CAR_Final.pdf, 5.

⁵⁴ Al Jazeera, “UN: Tens of Thousands Killed in South Sudan War,” March 3, 2016, <https://www.aljazeera.com/news/2016/3/3/un-tens-of-thousands-killed-in-south-sudan-war>.

⁵⁵ UN News, “South Sudan’s Government Forces Committed Widespread Violations in July Fighting – UN,” August 4, 2016, <https://news.un.org/en/story/2016/08/536062>; Jason Burke, “More Than 300 Dead as South Sudan Capital Is Rocked by Violence,” *The Guardian*, July 10, 2016, <https://www.theguardian.com/world/2016/jul/10/south-sudan-capital-juba-violence-salva-kiir>.

In contrast to large-scale violence, **medium-scale violence** is significant but does not yet reach the same level of gravity or scope. It can be conceptualized as an escalation in killings or other violent acts following a trigger event, marked by a sharp uptick in attacks but lacking the scale, systematic nature, prolonged duration, geographical spread, or cross-border effects characteristic of large-scale violence. If the approximate threshold for large scale violence is 1,000 civilian deaths, medium scale violence typically results in several hundred deaths. These incidents tend to be more sporadic and localized, indicating less planning or coordination. Put simply, medium-scale violence represents a situation of escalating risk, both in terms of threats to civilians and to regional stability.

Low-scale violence, by comparison, is limited in scope. Killings or other violent acts occur on a small scale, sporadically, within geographically confined areas, and are typically short-lived. It often involves localized intercommunal clashes or isolated episodes of state repression or criminal activity, rarely coinciding with direct threats to state authority or broader humanitarian crises. As an approximate threshold, low-scale violence involves fewer than 100 civilian deaths or other violent acts, placing it outside the scope of relevant cases.

Recognition of a Threat to International Peace and Security (*Underlying*)

The values this first condition takes—whether violence against civilians is high, medium, or low-scale, and whether it occurs during armed conflict or in peacetime—correlate with the presence of the first *underlying* necessary condition: **the recognition of a threat to international peace and security** in accordance with Article 39 of the UN Charter, typically (though not always) through explicit language in a resolution.⁵⁶ This condition functions as a

⁵⁶ The Security Council typically uses phrases such as “*Mindful* of its primary responsibility for the maintenance of international peace and security under the Charter of the United Nations,” “*Determining* that the situation in [...]”

gatekeeping step: unless the Council agrees to designate a situation as such a threat, it falls outside the body's Chapter VII mandate to maintain international peace and security, complicating the legal basis for escalating to enforcement measures.

Under Article 24(1) of the Charter, the Security Council has “primary responsibility for the maintenance of international peace and security.”⁵⁷ Specifically, Article 39 provides that the Council

shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.⁵⁸

Put simply, Article 39 empowers the Council to authorize Article 41 and 42 enforcement measures in response to situations it determines are “threats to international peace and security.” However, what qualifies as such a threat is not an objective fact. The Charter does not provide fixed criteria, leaving the determination open to interpretation by states.

The concept of international security has evolved significantly over time in both theory and practice. Emerging from debates about how to protect states from threats after World War II, it initially focused on the strategic consequences of great power rivalry and nuclear weapons.⁵⁹ Since then, it has expanded to encompass not only military security but also human, economic, and environmental vulnerabilities.⁶⁰ Core debates about the conceptual boundaries of international security have revolved around four key questions: (1) whether the state should remain the primary referent object (that is, the thing to be secured); (2) whether to include

constitutes a threat to international peace and security,” and/or “*Acting* under Chapter VII of the Charter of the United Nations,” although it rarely, if ever, invokes Article 39 directly.

⁵⁷ United Nations, *Charter of the United Nations*, 1 UNTS XVI, adopted June 26, 1945, entered into force October 24, 1945, Article 2(4), <https://www.un.org/en/about-us/un-charter/full-text>.

⁵⁸ *Ibid.*

⁵⁹ Barry Buzan and Lene Hansen, *The Evolution of International Security Studies* (Cambridge: Cambridge University Press: 2009), 8.

⁶⁰ *Ibid.*

internal as well as external threats; (3) whether to broaden security beyond military threats; and (4) whether to address only urgent, exceptional threats, or also longer-term risks.⁶¹

Whereas early notions of international security privileged the state as the referent object, contemporary approaches have expanded this to include individuals, nations, ethnic groups, the environment, and even the planet as a whole.⁶² Furthermore, while international security was traditionally concerned with external threats to the state (in contrast to internal threats, which were seen as domestic security concerns), globalization has increasingly blurred the lines between these categories, making many domestic threats consequential for other states. Finally, while security was once synonymous with military defense, it has since evolved to include concerns such as economic and political stability, energy, food, and public health.⁶³ These issues are now seen as relevant both because they can impact military security, and because of a broader rethinking of security as including societal, economic, health, and environmental vulnerabilities.⁶⁴ In turn, this conceptual expansion has raised questions about whether security threats are inherently urgent and require extreme or exceptional measures, or also include longer-term challenges best addressed through “regular” policies and procedures.

This broader shift in thinking about international security has been reflected in the evolving definition of “a threat to the peace” within the Security Council, particularly after the Cold War.⁶⁵ At a landmark meeting on January 31, 1992, the Security Council convened all 15 heads of state for the first time to reassess the role of the Council in maintaining international

⁶¹ Ibid., 10.

⁶² Ibid., 11.

⁶³ Ibid.

⁶⁴ Ibid., 12.

⁶⁵ Simon Chesterman, “The New Interventionism: Threats to International Peace and Security and Security Council Actions Under Chapter VII of the UN Charter,” in *Just War or Just Peace? Humanitarian Intervention and International Law* (Oxford: Oxford University Press, 2002).

peace and security, given the “new favourable international circumstances.”⁶⁶ Remarkably, they acknowledged that the role of the Council was changing:

The absence of war and military conflicts amongst States does not in itself ensure international peace and security. The non-military sources of instability in the economic, social, humanitarian, and ecological fields have become threats to peace and security.⁶⁷

Whether this language was meant to literally indicate the Council’s readiness to use its Chapter VII enforcement powers to address “non-military sources of instability” is disputed.⁶⁸ On the one hand, the Council has since recognized several new situations as threats to the peace that depart from the Cold War definition: non-international armed conflicts (i.e., civil wars), humanitarian crises (almost exclusively caused by armed conflict),⁶⁹ and military coups.⁷⁰ On the other hand, these situations all involve military threats and the use of force, suggesting limits to the extent of conceptual innovation.

Non-International Armed Conflicts as Threats to the Peace

The Security Council’s willingness to **recognize non-international armed conflicts** (and violence against civilians caused by them) as a threat to international peace and security traces to Resolution 688 (1991). The Council adopted Resolution 688 in response to the violent repression of Kurdish areas in northern Iraq, following a civilian uprising that evolved into an armed insurgency. France, the United States, and the United Kingdom later argued that the resolution provided a legal basis for establishing a no-fly zone over northern Iraq to protect Kurdish populations, as well as for Operation Provide Comfort, a military-humanitarian

⁶⁶ UPI Archives, “The Following Is the Text of the Security Council,” January 31, 1992, <https://www.upi.com/Archives/1992/01/31/The-following-is-the-text-of-the-Security-Council/3433696834000>.

⁶⁷ UNSC, *An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping*, S/23500, <https://docs.un.org/S/23500>, June 17, 1992.

⁶⁸ Chesterman, “The New Interventionism,” 128.

⁶⁹ Except for recognizing the outbreak of Ebola: UNSC, S/RES/2177, September 18, 2014, [https://undocs.org/S/RES/2177\(2014\)](https://undocs.org/S/RES/2177(2014)).

⁷⁰ Simon Chesterman calls this “disruptions to democracy.” See: Chesterman, “The New Interventionism,” 128.

mission.⁷¹ The intervention was controversial, however, because the Council did not explicitly invoke Chapter VII of the UN Charter in the operative clauses. Moreover, while Resolution 688 identified a threat to the peace, it cited only the cross-border effects of the conflict.⁷²

Specifically, the preamble expressed the Council's grave concern at

the repression of the Iraqi civilian population in many parts of Iraq, including most recently in Kurdish-populated areas, which led to a massive flow of refugees toward and across international frontiers and to cross-border incursions, which threaten international peace and security in the region.

As Simon Chesterman (2002) observes, the use of the plural verb "threaten" indicates that the Council determined the *effects* of Iraq's repression of civilians (refugee flows and cross-border incursions) rather than the violence itself were a threat to the peace.⁷³ Notably, nearly every state that supported the resolution highlighted the cross-border consequences of Iraq's internal conduct, particularly the refugee crisis.⁷⁴ France was the only state to cite the gravity of the violence itself, asserting that "violations of human rights such as those now being observed become a matter of international interest when they take on such proportions that they assume the dimension of a crime against humanity."⁷⁵

However, that same year, the Security Council signaled a conceptual shift in its response to the Balkan crisis following the dissolution of Yugoslavia. Resolution 713 (1991), which imposed an arms embargo on the former Yugoslavian republics, expressed grave concern at "the fighting in Yugoslavia, which is causing a heavy loss of life and human suffering,"⁷⁶ as well as "the consequences for the countries of the region, in particular in the border areas of

⁷¹ Ibid, 132.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ UNSC, S/PV.2982, April 5, 1991, 53, <https://docs.un/S/PV.2982>.

⁷⁶ UNSC, S/RES/713, September 25, 1991, preamble, [https://undocs.org/S/RES/713\(1991\)](https://undocs.org/S/RES/713(1991)).

neighbouring countries.”⁷⁷ On this basis, it declared that “the continuation of this situation constitutes a threat to international peace and security.”⁷⁸ While the Council did reference the conflict’s cross-border implications, scholars argue that, given the relatively minor scope of those effects compared to the scale of civilian deaths, the Council was asserting its authority to address an internal armed conflict causing grave violence against civilians.⁷⁹

The following year, the Security Council went further in response to the civil war in Liberia, which escalated in 1989 when Charles Taylor invaded from Côte d’Ivoire to overthrow then-President Samuel Doe.⁸⁰ Resolution 788 (1992) determined that the “deterioration of the situation in Liberia constitutes a threat to international peace and security, particularly in West Africa as a whole,”⁸¹ omitting any reference to cross-border implications. A year later, the Council again identified a threat to peace arising solely from an internal armed conflict in Angola, where fighting broke out in late 1992 over a disputed election, triggering a deadly civil war and humanitarian crisis.⁸² In September 1993, the Council adopted Resolution 864, determining that “as a result of UNITA’s military actions, the situation in Angola constitutes a threat to international peace and security”⁸³ and imposing oil and arms embargoes against the insurgent party.

In sum, while it is now widely accepted that non-international armed conflict (and ensuing violence against civilians) may constitute a threat to international peace and security, the willingness of the Security Council to locate such threats in domestic conflicts is, in fact, a post-Cold War development—one that laid the groundwork for the Responsibility to Protect (R2P).

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Chesterman, “The New Interventionism,” 134.

⁸⁰ Ibid., 136.

⁸¹ UNSC, S/RES/788, November 19, 1992, preamble, [https://undocs.org/S/RES/788\(1992\)](https://undocs.org/S/RES/788(1992)).

⁸² UNSC, S/RES/864, September 15, 1993, preamble, [https://undocs.org/S/RES/864\(1993\)](https://undocs.org/S/RES/864(1993)).

⁸³ Ibid., para. 19.

However, this was only one initial step toward recognizing atrocity crimes as a threat to the peace. The Council has also, since the end of the Cold War, shifted away from relying solely on the cross-border effects of humanitarian crises as the basis for such determinations. Instead, it has explicitly recognized that certain situations of human suffering, by virtue of their gravity, *themselves* constitute a threat to international peace and security.

Humanitarian Crises as Threats to the Peace

The Security Council's willingness to recognize **humanitarian crises** (in other words, situations of civilian suffering) as threats to the peace dates to the same period: specifically, Somalia's 1992 crisis, triggered by the collapse of the central government in 1991 and a subsequent civil war and famine. While the first resolution the Council adopted on Somalia stressed the regional impact of the crisis, expressing concern that the situation constituted a threat to the peace due to the "heavy loss of human life and material damage resulting from the conflict"⁸⁴ and "*its consequences* on stability and peace in the [sic] region,"⁸⁵ by the end of 1992, it determined that the "*magnitude of the human tragedy* caused by the conflict, further exacerbated by the obstacles being created to the distribution of humanitarian aid, constitutes a threat to international peace and security."⁸⁶ Within twenty-four hours, then-US President George Bush authorized Operation Restore Hope to ensure the safe delivery of aid. The Secretary-General later stated that the Council had "established a precedent in history: it decided to intervene for the first time for strictly humanitarian purposes."⁸⁷

Throughout the 1990s, the Security Council consistently determined that humanitarian crises of a certain "magnitude" were a threat to international peace and security. In Rwanda

⁸⁴ UNSC, S/RES/733, January 23, 1992, [https://undocs.org/S/RES/733\(1992\)](https://undocs.org/S/RES/733(1992)); emphasis added.

⁸⁵ *Ibid.*

⁸⁶ UNSC, S/RES/794, December 3, 1992, [https://undocs.org/S/RES/794\(1992\)](https://undocs.org/S/RES/794(1992)); emphasis added.

⁸⁷ Chesterman, "The New Interventionism," 142.

(1994), it expressed its deep concern “by the continuation of systematic and widespread killings of the civilian population,” concluding that “the *magnitude* of the humanitarian crisis...constitutes a threat to peace and security in the region.”⁸⁸ Two years later, the Council used nearly identical language regarding Eastern Zaïre (1996), again finding that “the *magnitude* of the present humanitarian crisis...constitutes a threat to peace and security in the region.”⁸⁹ In 1998, amid the crisis in Kosovo, the Council condemned the “excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army,”⁹⁰ which had caused “numerous civilian casualties.”⁹¹ Citing “the rapid deterioration in the humanitarian situation throughout Kosovo” and “impending humanitarian catastrophe,”⁹² it determined that the “deterioration of the situation in Kosovo...constitutes a threat to peace and security in the region.”⁹³ The following year, the Council again determined that the situation in East Timor constituted a threat to the peace, based on “reports indicating that systematic, widespread and flagrant violations of international humanitarian and human rights law have been committed.”⁹⁴

Violence Against Civilians as a Threat to the Peace

This evolving practice of recognizing both non-international armed conflicts and humanitarian crises caused by them as threats to the peace—without relying on their cross-border effects—helped pave the way for R2P, which emerged in the early 2000s as an effort to strengthen these emerging norms. Specifically, R2P aimed to bolster the political and normative case to recognize widespread, systematic violence against civilians as a threat to international peace and security in its own right—due to the gravity and scale of human suffering, not merely

⁸⁸ UNSC, S/RES/929, June 22, 1994, preamble, [https://undocs.org/S/RES/929\(1994\)](https://undocs.org/S/RES/929(1994)).

⁸⁹ UNSC, S/RES/1078, November 9, 1996, preamble, [https://undocs.org/S/RES/1078\(1996\)](https://undocs.org/S/RES/1078(1996)).

⁹⁰ UNSC, S/RES/1199, September 23, 1998, preamble, [https://undocs.org/S/RES/1199\(1998\)](https://undocs.org/S/RES/1199(1998)).

⁹¹ *Ibid.*

⁹² *Ibid.*

⁹³ *Ibid.*

⁹⁴ UNSC, S/RES/1264, September 15, 1999, preamble, [https://undocs.org/S/RES/1264\(1999\)](https://undocs.org/S/RES/1264(1999)).

its effects on other states. Crucially, R2P intended to call attention to such crimes *regardless* of whether they occur during armed conflict or in times of peace. In theory, it is the “magnitude” of human suffering, not the context of hostilities, that triggers an international responsibility to respond.

Yet, as Chesterman observed over two decades ago, “[t]he nature of the Security Council’s power under Chapter VII is such that it is unlikely to be invoked in response to a humanitarian crisis unless it occurs in a time of conflict,” meaning there is a “necessary overlap between these two categories.”⁹⁵ This represents a core tension between the theory of R2P and Security Council practice: while the Council is, in principle, empowered to respond to “non-military sources of instability,” the empirical record suggests that R2P has not influenced the practice of locating threats to the peace in this context. Based on extensive research to construct Table A1, the thesis could not identify a single case where the Council recognized large-scale violence against civilians occurring in peacetime as a threat to international peace and security.

Based on this pattern of practice, I theorize that the Security Council is most likely to agree that a situation of violence against civilians constitutes a threat to international peace and security when it occurs not only on a large scale, but also during armed conflict. This penchant reflects the three dynamics discussed above: the Council routinely recognizes armed conflicts as a threat to the peace; it is prepared to treat humanitarian crises *caused* by armed conflict as such a threat; and it specifically locates a threat in the “magnitude” of human suffering. Notably, this pattern suggests that even when violence against civilians itself is deemed a threat, the presence of more “traditional” threats to the peace—such as armed conflict or cross-border effects—can help facilitate consensus.

⁹⁵ Chesterman, “The New Interventionism,” 140.

Atrocity Characterization by the United Nations (*Proximate*)

The escalation of large-scale violence against civilians during armed conflict and recognition of a threat to international peace and security are necessary but not sufficient conditions for Security Council intervention. A second catalyst must also follow: **an official characterization or determination of atrocity crimes by the United Nations**. Specifically, senior UN officials or a UN investigation must determine, in a statement to the Security Council or a report, that atrocity crimes are or may be occurring. Crucially, they must also clearly identify the perpetrators of the suspected crimes. Senior UN officials include the Secretary-General; the Under-Secretaries-General for Peace Operations (DPO), Political and Peacebuilding Affairs (DPPA), and Humanitarian Affairs (OCHA); the High Commissioner for Human Rights; the Special Advisors on Genocide Prevention and the Responsibility to Protect; the heads of UN fact-finding missions (FFMs) or commissions of inquiry (COIs); Special Rapporteurs; and Special Representatives of the Secretary-General (SRSGs).

A high-level characterization or determination of atrocity crimes naming the alleged perpetrators marks a critical juncture in the Security Council's decision-making process for two reasons. Prior to such a characterization, it remains unclear from an official standpoint whether the violence meets the threshold of international crimes and thus constitutes a threat to international peace and security, potentially warranting Chapter VII measures. Furthermore, it remains uncertain whom, exactly, the Council should intervene against. In short, "who says who did what"⁹⁶ matters significantly for whether the Council moves toward considering targeted measures against specific actors.

⁹⁶ Nicole Widdersheim, "Why Say Who Did What? The Ethiopia Case and the Power of U.S. Atrocity Determinations," *Just Security*, July 20, 2023, <https://www.justsecurity.org/87320/why-say-who-did-what-the-ethiopia-case-and-the-power-of-us-atrocity-determinations/>.

The Role of Official Atrocity Characterizations in Motivating Action

R2P, as an idea, proposes that violence against civilians occurring within a state becomes a matter of international concern potentially warranting enforcement measures when it meets or may meet the threshold of one of the four atrocity crimes: genocide, war crimes, crimes against humanity, or ethnic cleansing. Below this threshold of gravity, violence against civilians—for instance, police brutality or the suppression of protests—falls outside the Council’s remit, though it may be addressed by the Human Rights Council. R2P did not create a new legal obligation to intervene, but rather reinforced existing international law while articulating a political and normative commitment to protect vulnerable groups. To this end, R2P was intended to serve two functions: to influence ideas about when violence against civilians constitutes a threat to international peace and security, rather than merely a domestic affair; and to establish a threshold for the Security Council to consider intervening, against which it could be held politically accountable.

Importantly, R2P need not be directly invoked for a situation to fall under its scope. What matters for triggering an international responsibility to act is whether violence is *framed* as amounting or potentially amounting to one of the four atrocity crimes. This is no trivial matter. Labeling acts of violence as international crimes is highly contentious, as it can lead to serious diplomatic, political, and economic repercussions, potentially pave the way for external intervention, and ultimately result in judicial accountability, including individual criminal accountability. Absent such a characterization, it remains officially unclear, and dissenting states can plausibly contest, whether a situation of violence constitutes a threat to the peace potentially warranting Security Council action. Furthermore, if responsibility for the violence remains unconfirmed, uncertainty over which actor or group the Council should target makes intervention

proposals vulnerable to contestation: states cautious of or seeking to block coercive measures can exploit this ambiguity to delay or obstruct collective action.

Table 3.8 Types of Atrocity Characterizations or Determinations

Type of Determination	Form
<i>Official</i>	
Judicial	Legally binding judgments made by courts or tribunals (e.g., ICC, ICJ, ICTY) on whether actions constitute international crimes (genocide, war crimes, or crimes against humanity)
Quasi-Judicial	Fact-based judgements made by non-judicial bodies with investigative powers (e.g., COIs, FFMs) that can inform legal proceedings
Political	Statements made by political actors (e.g., heads of state, UN officials) assessing whether violence constitutes or may amount to international crimes
<i>Unofficial</i>	
Academic	Scholarly assessments based on research and subject-matter expertise
Civil Society	Reports or statements issued by NGOs or advocacy groups assessing the nature and gravity of violence based on independent investigations
Journalistic	Media coverage characterizing violence against civilians as atrocity crimes, typically informed by on-the-ground investigations and/or eyewitness accounts

Table 3.9 Atrocity Characterizations Versus Determinations

Type	Definition	Tone	Relevant Actors	Example
Atrocity Determinations	Official or unofficial, sometimes legally binding statements that definitively categorize acts as international crimes	Legalistic, determinative, categorical	<p><i>Official, legally binding:</i> International or domestic courts</p> <p><i>Official, non-binding:</i> Governments (heads of state, foreign ministers), UN investigative mechanisms (COIs, FFMs),</p>	“Genocide has been committed” ⁹⁷

⁹⁷ Colin Powell, “The Crisis in Darfur,” *United States Department of State*, September 9, 2004, <https://2001-2009.state.gov/secretary/former/powell/remarks/36042.htm>.

			senior UN officials <i>Unofficial, non-binding:</i> Scholars, civil society	
Atrocity Characterizations	Non-legally binding assessments that describe acts as potentially amounting to international crimes, but do not make definitive conclusions	Rhetorical, descriptive, sometimes morally or emotionally charged	<i>Official, non-binding:</i> UN investigations, UN officials (e.g., Secretary-General, High Commissioner, Special Advisers) <i>Unofficial, non-binding:</i> Scholars, civil society, journalists	“This situation seems like a textbook example of ethnic cleansing” ⁹⁸

Types of Atrocity Characterizations and Their Sources

Three *official* types of atrocity characterizations may be presented to the Security Council or otherwise shape member states’ perception of a situation: **judicial, quasi-judicial, and political**.⁹⁹ Importantly, atrocity characterizations can also come from *unofficial* sources, including academic researchers, human rights organizations, and news outlets. These sources are “unofficial” because they are not recognized political or legal institutions or appointed officials. While unofficial atrocity characterizations can shape public perceptions of a situation and may “trickle up” to Council members, official characterizations are generally considered the most credible, authoritative sources of information and analysis presented regularly to the Council.

⁹⁸ Zeid Ra’ad al-Hussein, “Darker and more dangerous: High Commissioner updates the Human Rights Council on human rights issues in 40 countries,” *Office of the High Commissioner for Human Rights*, September 11, 2017, <https://www.ohchr.org/en/statements-and-speeches/2017/09/darker-and-more-dangerous-high-commissioner-updates-human-rights>.

⁹⁹ Atrocity determinations are *official* when they are made by individual or entities with legal or political authority. There are also three *unofficial* types of determinations: academic, civil society, and journalistic.

Judicial determinations are decisions made by competent court or tribunal that determine the existence of an internationally wrongful act with binding force on parties to a dispute.¹⁰⁰ These include the International Criminal Court, the International Court of Justice, and domestic courts applying universal jurisdiction.¹⁰¹ While judgments by the ICC or ICJ are neither automatically nor routinely presented to the Council, they can reach members in several ways. Although the ICC is not a UN body, the Council is empowered under Article 13(b) of the Rome Statute to refer situations to the court.¹⁰² In these cases, the Chief Prosecutor submits regular reports to the Council. Otherwise, ICC judgements may be cited or acknowledged by UN officials, member states, or experts during briefings or debates. The same is true for judgments from the ICJ or domestic courts. Additionally, under Article 94 of the UN Charter, if a party fails to comply with an ICJ judgement, the other party can bring the matter before the Council.¹⁰³

Judicial determinations are typically considered the most authoritative type of atrocity determination because they are binding decisions with legal consequences. However, cases of Security Council referrals to the ICC or states raising non-compliance with an ICJ judgment are rare. The Council has referred only two situations to the ICC (Sudan in 2005 and Libya in 2011), and of the five occasions when states raised an ICJ non-compliance complaint under Article 94(2), it voted on a resolution only once: Nicaragua against the United States in 1984, which was unrelated to atrocity allegations.¹⁰⁴ Moreover, both domestic and international courts typically

¹⁰⁰ Antonios Tzanakopoulos, "Judicial Determination," in *Disobeying the Security Council: Countermeasures against Wrongful Sanctions*, Oxford Monographs in International Law (Oxford, 2011), online edition, Oxford Academic, May 1, 2011, 90, <https://doi.org/10.1093/acprof:oso/9780199600762.003.0004>.

¹⁰¹ The ICC has the authority to prosecute individuals for genocide, war crimes, and crimes against humanity.

¹⁰² *Rome Statute of the International Criminal Court*, July 17, 1998, 2187 UNTS 90, Article 13(b), <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>.

¹⁰³ United Nations, *Charter of the United Nations*, 1 UNTS XVI, adopted June 26, 1945, entered into force October 24, 1945, Article 94, <https://www.un.org/en/about-us/un-charter/full-text>.

¹⁰⁴ See: International Court of Justice, *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, <https://www.icj-cij.org/case/70>. Article 94(2) was invoked for the first time before the Security Council by the United Kingdom in 1951, with respect to a case against Iran. Since then, it has been invoked

take years to issue final rulings, meaning these are rarely, if ever, issued during a situation of escalating risk. Instead, what most commonly emerge in real-time are statements by senior UN officials or reports from UN investigations assessing whether atrocity crimes have occurred or may be occurring. I refer to these as political and “quasi-judicial” determinations or characterizations, respectively.

Quasi-judicial determinations or characterizations are fact-based judgements concerning questions of international law.¹⁰⁵ Based on in-depth factual analysis and international legal frameworks, they either assert that specific acts amount to international crimes, or conclude that violations potentially amount to them. At the UN, atrocity determinations are primarily issued by COIs or FFM, which have historically been mandated by the Security Council, the Human Rights Council, and the General Assembly. Such determinations are “quasi-judicial” because investigative mechanisms are not judicial bodies, and their findings are not legally binding. Instead, these mechanisms are tasked with gathering evidence of abuses and making preliminary assessments of the nature and gravity, which may inform legal proceedings at a later date.¹⁰⁶ Their authority is therefore epistemic rather than legal: as independent, internationally

four times: by Nicaragua in 1986, in a case against the United States; by Bosnia-Herzegovina in 1993, in a case against the Federal Republic of Yugoslavia; by Libya in 1998, in a case against the United Kingdom and United States; and by Honduras in 2002, in a case against El Salvador. See: Edgardo Sobenes Obregon, “Recourse to the Security Council under Article 94 (2) of the United Nations Charter,” *Max Planck Encyclopedias of International Law*, last updated April 2017, <https://opil.ouplaw.com/display/10.1093/law-mpeipro/e3166.013.3166/law-mpeipro-e3166>. Notably, while South Africa requested the Security Council to enforce the ICJ’s provision measures in *South Africa v. Israel* (2023), it did not explicitly invoke Article 94(2), which is the formal mechanism for addressing non-compliance with ICJ judgements. See: Mischa Gureghian Hall, “Giving Covenants Swords: The UN Security Council’s Competence to Enforce Provisional Measures of the ICJ,” *Verfassungsblog*, July 10, 2024, <https://verfassungsblog.de/giving-covenants-swords/>.

¹⁰⁵ Asia-Pacific Centre for the Responsibility to Protect, *The Powers of the UN General Assembly to Prevent and Respond to Atrocity Crimes: A Guidance Document*, April 29, 2021, 32, https://r2pasiapacific.org/files/7091/2021_UNGA_GuidanceDocument4.pdf.

¹⁰⁶ Federica D’Alessandra, “The Accountability Turn in Third Wave Human Rights Fact-Finding,” *Utrecht Journal of International and European Law* 33, no. 84 (2017): 59–76, <https://doi.org/10.5334/ujel.369>.

mandated bodies, they produce knowledge widely considered credible, impartial, and authoritative, helping to establish the “objective” facts of a situation.

Regardless of their form, quasi-judicial determinations typically reach the Security Council through several channels. The Council has occasionally invited the High Commissioner for Human Rights or Special Envoys of the Secretary-General to provide a briefing during an open session, where they present findings from COIs, FFMs, or other human rights investigations (though in some cases, states have strategically blocked these briefings).¹⁰⁷ Often, the Council has instead chosen to engage with UN investigative reports through “Arria-formula” meetings—informal, off-the-record meetings initiated by individual members—where representatives from COIs or FFMs were invited to present their findings.¹⁰⁸ Additionally, the findings of UN investigations or Special Rapporteurs have often been raised by member states in formal debates, or, less frequently, transmitted to the Council by the Secretary-General.¹⁰⁹

Of all forms of official atrocity determinations, the final type—**political determinations or characterizations**—is most frequently brought before the Security Council. Political determinations are official statements by political actors that assign legal labels to ongoing or

¹⁰⁷ For example, in 2018, the Security Council failed to hold a public meeting on the human rights situation in Syria, which would have included a briefing by High Commissioner for Human Rights Zeid Ra’ad al-Hussein due to a procedural vote initiated by Russia. However, in 2019, the Council did receive a briefing from Special Envoy Christine Schraner-Burgener on the situation in Myanmar. See: United Nations Press, “Procedural Vote Blocks Holding of Security Council Meeting on Human Rights Situation in Syria, Briefing by High Commissioner,” SC/13255, March 19, 2018, <https://press.un.org/en/2018/sc13255.doc.htm>; United Nations Department of Political and Peacebuilding Affairs, “Security Council Briefing on Myanmar, Special Envoy Christine Schraner-Burgener,” February 28, 2019, <https://dppa.un.org/en/security-council-briefing-myanmar-special-envoy-christine-schraner-burgener>.

¹⁰⁸ On April 17, 2014, the Security Council held an Arria-formula meeting to receive a report from the UN Commission of Inquiry on North Korea. China and Russia did not attend the meeting. See: Michael Kirby, “The UN COI at 10 Years: Strategic Priorities & Considerations,” *HRNK Insider*, January 26, 2023, <https://www.hrmkinsider.org/2023/01/kirby-coi-tenth-anniv.html>. For an extended discussion of Security Council working methods, see: Security Council Report, “Arria-formula Meetings: UN Security Council Working Methods,” December 16, 2020, <https://www.securitycouncilreport.org/un-security-council-working-methods/arria-formula-meetings.php>.

¹⁰⁹ See: Kofi Annan, “Statement by the Secretary-General on the Report of the International Commission of Inquiry on Darfur,” *United Nations*, February 1, 2005, <https://www.un.org/sg/en/content/sg/statement/2005-02-01/statement-the-secretary-general-the-report-of-the-international-commission-of-inquiry-darfur>.

past events, despite lacking legal authority or binding force. They are often issued by governments based on domestic intelligence and reports from diplomats on the ground, with the goal of influencing public opinion and spurring action. A prominent example is the United States, where Secretaries of State Colin Powell and Mike Pompeo, respectively, declared in 2004 that genocide had occurred in Darfur and in 2021 that China was committing crimes against humanity and genocide in Xinjiang.¹¹⁰

Within the UN system, political determinations are relatively rare, as UN officials—especially those without investigative powers—must maintain a delicate balance between advocacy and perceived neutrality. Instead, they generally make **atrocities characterizations** in the form of descriptive statements about whether certain acts *may* amount to international crimes. These characterizations do not assert that atrocity crimes are definitively occurring but rather suggest that acts of violence could cross that threshold. Atrocity characterizations by UN officials are usually formal, meaning they are grounded in expert analysis and judgement.¹¹¹ However, they occasionally manifest as rhetorical statements charged with moral or emotional language.¹¹² In either case, they function as warning signals, framing tools, or calls to action, not official institutional positions.

Atrocity characterizations are frequently made to the Security Council by the Secretary-General, the heads of DPPA or DPO, or other senior UN officials invited to brief the Council. They can also be made by the High Commissioner for Human Rights and the Special Advisers on Genocide Prevention and R2P, though these officials are rarely invited to brief the Council

¹¹⁰ Colin, “Remarks to the United Nations Security Council on the Situation in Darfur”; United States Department of State, “Determination of the Secretary of State on Atrocities in Xinjiang,” January 19, 2021, <https://2017-2021.state.gov/determination-of-the-secretary-of-state-on-atrocities-in-xinjiang/>.

¹¹¹ For example, statements made by the Special Advisers on Genocide Prevention and R2P.

¹¹² Statements characterizing Israel’s actions in Gaza as atrocity crimes by UN Special Rapporteur on the Occupied Palestinian Territories Francesca Albanese, for instance, have occasionally verged on emotional statements aimed at swaying public opinion rather than objective analyses of factual data.

directly, and their statements are instead raised by individual members. As a matter of institutional policy, the Special Advisers almost exclusively make atrocity characterizations rather than determinations.¹¹³ Similarly, statements from the High Commissioner for Human Rights and the Secretary-General generally take the form of characterizations rather than determinations.¹¹⁴

The Inhibiting Effects of Ambiguous Framing on Collective Action

In sum, a variety of bodies and actors within and outside the UN can make official determinations about whether violence amounts or may amount to international crimes, with differing degrees of legal, political, institutional, and epistemic authority. Importantly, who, exactly, says “who did what” can vary from case to case. Political characterizations are often made early in a crisis, before investigative mechanisms or judicial proceedings can be established and when the facts of a situation remain unconfirmed. Whether a quasi-judicial determination follows depends on the timing of the international community’s response—which, in turn, is shaped by factors such as the level of political will to act, P5 alignment with the perpetrators, engagement from regional organizations, and other situational dynamics. When the Security Council is under pressure to act quickly and decisively, it may rely solely on preliminary characterizations from UN officials or member states. In other cases, where its response stretches over several years, investigative mechanisms are often established to gather evidence, and their findings play a more decisive role in shaping action. (As previously noted, no

¹¹³ For instance, in 2011, Special Advisers on Genocide Prevention and the Responsibility to Protect, Francis Deng and Edward Luck, issued a joint statement warning that the Libyan government’s attacks on civilians “may constitute crimes against humanity.” Similarly, in 2008, Deng warned of a “high risk of genocide” in Sudan’s Darfur region. In 2014, his successor, Adama Dieng, warned there was a “serious risk of genocide” in South Sudan.

¹¹⁴ For example, in 2017, then–High Commissioner for Human Rights Zeid Ra’ad al-Husseini described the Myanmar military’s actions against the Rohingya as a “textbook example of ethnic cleansing.” In 2022, his successor, Michelle Bachelet, expressed concern over “serious human rights violations” in Xinjiang, warning (but not determining) that they “may constitute international crimes, in particular crimes against humanity.”

ruling from an international or domestic court has ever preceded a Security Council intervention decision.)

Despite this contextual variation, one condition remains constant: in all cases of Security Council intervention, a critical step in the lead-up to intervention is, at minimum, the characterization of ongoing violence as atrocity crimes by senior UN officials. Even before judicial proceedings or quasi-judicial reports emerge, such characterizations credibly and authoritatively signal that the violence may amount to international crimes, thereby bringing it under the Council's peace and security mandate. This framing enables the Council to deliberate on Chapter VII measures, even in the absence of conclusive legal determinations.

Regional Request for Intervention (*Proximate*)

The escalation of large-scale violence against civilians during armed conflict, the recognition of an international peace and security threat, and a UN characterization or determination of atrocity crimes is usually sufficient for the Council to respond using “diplomatic, humanitarian, and other peaceful means” under Chapters VI and VIII of the UN Charter. The question, however, is under what conditions the Council authorizes coercive measures under Chapter VII—sanctions or the use of force.

The third necessary catalyst for coercive intervention against *state perpetrators* is **a request for, or endorsement of, international intervention by a regional organization**, typically expressed through a resolution or official communication to the Security Council. Such a request is not strictly required for the Council to authorize sanctions against state actors, though it strongly enables them. In cases of military intervention, however, a regional request serves as the decisive “trigger” for authorization, without which it does not occur. These requests catalyze intervention in two ways. First, they create pressure on the Council to fulfill its peace and

security mandate and/or responsibility to protect, providing both strategic and normative incentives to intervene. Second, they confer political legitimacy on the decision to intervene. Notably, in cases where Council members rather than regional actors push for intervention, regional bodies may publicly endorse international involvement instead of explicitly requesting it. In either case, their support plays a crucial legitimating role.

The Role of Regional Organizations in Crisis Management

Given the global scope of the Security Council's mandate and the sheer number of crises demanding its attention, regional organizations almost always act as "first responders" to emerging threats. A major reason is practical: their geographic proximity to unfolding crises makes them the most directly affected by spillover effects, often prompting swift engagement. Regional bodies can also respond more rapidly and flexibly than the Council: for instance, they can deploy political missions, mediate between conflict parties, and even deploy peacekeeping forces with fewer bureaucratic or political hurdles.

Furthermore, regional organizations enjoy significant political legitimacy in managing crises within their own regions, including in the view of perpetrators. As they are composed of neighboring countries, regional bodies typically enjoy close diplomatic, political, cultural, linguistic, and economic ties with perpetrator states, making them less politically vulnerable to accusations of external interference.¹¹⁵ Instead, their involvement is generally seen as a legitimate response to threats to collective security. Perceptions of legitimacy are particularly strong when regional organizations are founded on treaties of guarantee that allow for

¹¹⁵ Oona A. Hathaway, Julia Brower, Ryan Liss, Tina Thomas, and Jacob Victor, "Consent-Based Humanitarian Intervention: Giving Sovereign Responsibility Back to the Sovereign," *Cornell International Law Journal* 46, no. 3 (2013): 557, <https://www.lawschool.cornell.edu/research/ILJ/upload/Hathaway-et-al-final.pdf>.

intervention in the territory of a member under specific circumstances, such as the commission of atrocity crimes.¹¹⁶

The primary role regional organizations play in crisis management is not only a practical and political reality but also rooted in the normative architecture of the UN system. The UN Charter explicitly encourages Security Council cooperation with regional organizations in responding to domestic crises. Article 52(2) provides:

The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

While the Charter does not require deference to regional bodies, this provision affirms that regional organizations should take the lead, where possible, in responding to crises affecting their member states. For this reason, the Council almost always defers to regional organizations—when they are willing and able—to lead crisis management efforts.

Importantly, the Security Council is highly concerned not to be seen as encroaching on regional leadership. A signal from regional bodies that their efforts are failing is therefore crucial for prompting the Council to consider stepping in. This principle is reflected in R2P’s pillar 3b component: paragraph 139 of the SOD states that the Council may consider intervening only when “peaceful means are inadequate.” In practice, the Council will not authorize military intervention in an atrocity situation without a clear signal from regional actors that diplomatic efforts are failing, and external intervention has become warranted. Such support not only

¹¹⁶ Two regional organizations today maintain treaties with allowing intervention in response to massive human rights abuses: the AU and ECOWAS. The Charter of the AU authorizes the institution to “intervene in a Member State pursuant to a decision of the [AU’s governing] Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity.” See: African Union, *Constitutive Act of the African Union*, Article 4(h), July 11, 2000, http://www.africa-union.org/about_au/constitutive_act.htm. Likewise, a 1999 ECOWAS protocol provides a mechanism for the organization to intervene in cases of “internal conflict... that threaten[] to trigger a humanitarian disaster” or “[i]n event of serious and massive violation of human rights and the rule of law.” See: ECOWAS, *Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-Keeping and Security*, Article 25, Doc. A/P.10/12/99, December 10, 1999, <https://docs.un.org/S/AC.44/2019/2>.

confers political legitimacy, but also makes intervention militarily and operationally feasible. Regional organizations often commit troops, logistical support, and other forms of assistance to international peacekeeping missions or coalitions, making their cooperation crucial to the feasibility and prospects of success of intervention.

In contrast, if a regional body actively *opposes* international involvement, the political costs of intervention rise significantly, while the feasibility and prospects of success decline—making Security Council authorization unlikely. Even passive neutrality from a regional organization significantly reduces the likelihood of intervention. In cases when regional bodies do not advocate for international intervention and instead engage through diplomacy, the Council is unlikely to pursue military measures unless strongly pushed by a P5 state.

It is beyond the scope of this thesis to fully explain the conditions under which regional organizations request the Security Council to intervene against a member state. Suffice it to note that regional opposition to international intervention may stem from a range of factors, including an organizational culture rooted in the principle of non-interference, internal politics, genuine concerns that military intervention could exacerbate regional instability, or a combination of these factors. Similarly, regional neutrality may reflect an organizational culture that prioritizes diplomatic solutions, a mandate more focused on diplomacy and development than on conflict management and peace enforcement, or the lack of a collective security mandate altogether.¹¹⁷

As Stewart Patrick observes, “the aspirations, mandates and activities of regional organizations vary enormously.”¹¹⁸ For example, the African Union is notably activist, whereas

¹¹⁷ For instance, ASEAN is formally committed to the principle of non-interference in its member states’ affairs; the core focus of the Organization of American States (OAS) is on the promotion of democracy, human rights, and development across the region, though it has a collective security mandate; and the Caribbean Community (CARICOM) only established a security mandate in 2007, over thirty years after it was founded.

¹¹⁸ Stewart M. Patrick, “The UN Versus Regional Organizations: Who Keeps the Peace?”, *Council on Foreign Relations*, March 23, 2012, <https://www.cfr.org/blog/un-versus-regional-organizations-who-keeps-peace>.

the Association of Southeast Asian Nations (ASEAN) is famously cautious. This divergence reflects each organization’s philosophy of regional diplomacy.¹¹⁹ Whereas the AU’s founding document shifted the organization from its predecessor’s stance of “nonintervention” to one of “non-indifference” toward its members’ internal affairs, ASEAN’s distinctive approach to regional diplomacy, known as the “ASEAN way,” discourages actions that challenges state sovereignty.¹²⁰ Meanwhile, some organizations play a limited role in atrocity response simply because they are not designed to manage violent crises. The Organization of American States (OAS), for instance, focuses on promoting economic and social development, democracy, and human rights, and while security is one of its organizational objectives, it does not have enforcement powers.¹²¹ Regardless of the reason—whether organizational culture or political or institutional constraints—the requirement of regional support is consistent. If a regional body actively opposes or declines to endorse international intervention, efforts to authorize Chapter VII measures will almost always stall, even in the face of overwhelming evidence of atrocity crimes.

Table 3.10 Regional Organization Mandates: Areas of Focus

Region	Organization	Date Founded	# of Members	Collective Security Mandate?	Enforcement Powers?
Africa	African Union (AU)	2002 (replacing the OAU)	55	Yes (Constitutive Act (Art. 4(h)) ¹²²	Yes
	ECOWAS (Economic Community of	1975	15	Yes (Art. 4, 10, and 25 of ECOWAS Protocol on Peace	Yes

¹¹⁹ Ibid.

¹²⁰ The AU, which was created in 2002, was preceded by the Organization of African Unity (OAU), founded in 1963.

¹²¹ Paulo de Tarso Lugon Arantes, “The Organization of American States,” in *An Institutional Approach to the Responsibility to Protect*, ed. Gentian Zyberi (Cambridge: Cambridge University Press, 2013), 268–88.

¹²² African Union, *Constitutive Act of the African Union*, adopted July 11, 2000, entered into force May 26, 2001, Article 4(h), https://au.int/sites/default/files/pages/34873-file-constitutiveact_en.pdf.

	West African States)			and Security, 1999) ¹²³	
	IGAD (Intergovernmental Authority on Development)	1996	8	Yes (Article 7G, 18A of the Agreement Establishing the Intergovernmental Authority on Development, 1996) ¹²⁴	No
	SADC (Southern African Development Community)	1992	16	Yes (Art 2.2(a), SADC Protocol on Politics, Defense, and Security Cooperation, 2001) ¹²⁵	No
Americas	Organization of American States (OAS)	1948	35	Yes (Art. 28, Art. 29, OAS Charter) ¹²⁶	No
	CARICOM (Caribbean Community)	1973	15 (plus 5 associates)	No original security mandate (see: Treaty of Chaguarmas, 1973), ¹²⁷ security established as fourth organizational pillar in 2007	No
Asia-Pacific	ASEAN (Association of Southeast Asian Nations)	1967	10	No formal security mandate, codified principle of non-interference (Art. 2, Para. 2, Art. 22, ASEAN Charter, 1967) ¹²⁸	No
	SAARC (South Asian Association for Regional Cooperation)	1985	8	No collective security mandate	No

¹²³ ECOWAS, *Treaty of the Economic Community of West African States*, signed May 28, 1975, accessed via Refworld, <https://www.refworld.org/legal/constinstr/ecowas/1975/en/63881>.

¹²⁴ Intergovernmental Authority on Development (IGAD), *Agreement Establishing the Intergovernmental Authority on Development (IGAD)*, adopted March 21, 1996, entered into force November 25, 1996, <https://igad.int/download/agreement-establishing-the-intergovernmental-authority-on-development-igad/>.

¹²⁵ Southern African Development Community (SADC), *Protocol on Politics, Defence and Security Cooperation*, adopted August 14, 2001, https://www.sadc.int/sites/default/files/2021-08/Protocol_on_Politics_Defence_and_Security20001.pdf.

¹²⁶ OAS, *Inter-American Democratic Charter*, adopted April 30, 1948, entered into force December 13, 1951, https://www.oas.org/charter/docs/resolution_en.htm.

¹²⁷ CARICOM, *Treaty Establishing the Caribbean Community*, signed July 4, 1973, entered into force August 1, 1973, <https://caricom.org/treaties/treaty-establishing-the-caribbean-community/>.

¹²⁸ ASEAN, *ASEAN Charter*, adopted November 20, 2007, entered into force December 15, 2008, <https://asean.org/wp-content/uploads/images/archive/publications/ASEAN-Charter.pdf>.

				(see: SAARC Charter, 1985) ¹²⁹	
Europe	European Union (EU)	1993 (Treaty of Maastricht)	27	Yes (Art. 42, Treaty on European Union) ¹³⁰	Yes
	OSCE (Organization for Security and Co-operation in Europe)	1975 (as CSCE), renamed in 1995	57	No formal charter, but founding documents emphasize collective security ¹³¹	No
Middle East and North Africa	Arab League	1945	22	Yes (Arab Peace and Security Council)	No
	GCC (Gulf Cooperation Council)	1981	6	No collective security mandate (2000 Joint Defence Agreement establishes collective security principle) ¹³²	No
	Organisation of Islamic Cooperation (OIC)	1969	57	Yes (Art. 5, Art. 27, Art. 38, OIC Charter) ¹³³	No

When Considering Military Intervention Against Non-State Perpetrators

Target State Consent for Intervention (Proximate)

As mentioned earlier, the causal pathway to collective action differs depending on whether the perpetrators of atrocity crimes are state or non-state actors.¹³⁴ When the perpetrators

¹²⁹ South Asian Association for Regional Cooperation (SAARC), *Charter of the South Asian Association for Regional Cooperation*, adopted and entered into force December 8, 1985, <https://www.saarc-sec.org/index.php/about-saarc/saarc-charter>.

¹³⁰ European Union (EU), *Consolidated Version of the Treaty on European Union*, Official Journal C 326, October 26, 2012, https://eur-lex.europa.eu/resource.html?uri=cellar:2bfl40bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF.

¹³¹ Organization for Security and Co-operation in Europe (OSCE), *Charter for European Security*, Ministerial Council Decision No. 17502, Istanbul, signed November 19, 1999, <https://www.osce.org/mc/17502>.

¹³² Gulf Cooperation Council (GCC), *Charter of the Gulf Cooperation Council*, adopted May 25, 1981, https://www.files.ethz.ch/isn/125347/1426_GCC.pdf.

¹³³ Organisation of Islamic Cooperation (OIC), *Charter of the Organization of the Islamic Cooperation*, https://www.oic-oci.org/page/?lan=en&p_id=53&p_ref=27.

¹³⁴ See: Claus Kress, "On the Principle of Non-Use of Force in Current International Law," *Just Security*, September 30, 2019, <https://www.justsecurity.org/66372/on-the-principle-of-non-use-of-force-in-current-international-law/>.

are non-state actors, a fourth catalyst is also required: **(4) consent from the target state for international intervention**, typically conveyed through an official letter or formal communication to the Council. State consent can enable decisions to impose sanctions against non-state groups, though it is not strictly necessary for non-military measures. However, a formal request or expression of consent from the target state for international intervention serves as the decisive “trigger” for authorization. Absent such consent, the Council is highly unlikely to authorize military intervention, even in clear cases of atrocity crimes. The reason is straightforward: without state consent, the Security Council lacks either the clear legal authority or political legitimacy to intervene militarily in a functioning state that is actively, if ineffectively, addressing a domestic security threat.

The 2005 World Summit Outcome Document (WSOD) suggests that the Security Council may consider intervening in a state to prevent or halt atrocity crimes when the government is “manifestly failing” to protect its population. As discussed in Chapter 1, while the WSOD does not define this threshold, it is widely interpreted to reflect the “unwilling and unable” standard articulated by the International Commission on Intervention and State Sovereignty (ICISS). According to the ICISS, international intervention “may be required” when a state is “unable or unwilling to redress [atrocity crimes]” or “is itself the perpetrator.”¹³⁵ This implies three scenarios where coercive intervention may be justified: **when the state is unwilling and unable, unwilling but able, or willing but unable** to prevent atrocity crimes.

Cases involving *non-state armed groups* typically fall under the willing but unable category: a government is actively attempting to combat insurgent groups and protect its citizens

¹³⁵ See: International Commission on Intervention and State Sovereignty, *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty* (Ottawa: International Development Research Centre, 2001), accessed via <https://www.globalr2p.org/resources/the-responsibility-to-protect-report-of-the-international-commission-on-intervention-and-state-sovereignty-2001/>.

but lacks the capacity to do so effectively. They can also fall under the able but unwilling scenario, where the state has the means to protect vulnerable populations from targeting by insurgents, but chooses not to act. In either scenario, the Security Council is highly unlikely to intervene unless the government requests or consents to external assistance in combating armed groups within its territory.

The primary reason is normative. Above all, such a move would be legally dubious, as the UN Charter enshrines a near total prohibition on the use of force.¹³⁶ Article 2(4) states:

[a]ll Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

The Charter recognizes only two exceptions to this prohibition: (1) the use of force in self-defense or collective self-defense under Article 51; and (2) Security Council authorization of non-defensive force under Chapter VII in response to threats to international peace and security.¹³⁷ Though not explicitly stated in the Charter, a third exception also exists: a state may consent to the use of force on its territory.¹³⁸

Absent such consent, the legal basis for intervention is tenuous at best. Article 2(7) of the Charter famously provides: “[n]othing contained in the...Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state.”¹³⁹ This provision remains one of the most deeply entrenched international legal norms today. On the one hand, R2P was intended precisely to limit states’ ability to invoke sovereignty as a shield by encouraging the Security Council to recognize atrocity crimes as threats to international peace and security—a classification that permits consideration of enforcement

¹³⁶ Hathaway, Brower, Liss, Thomas, and Victor, “Consent-Based Humanitarian Intervention,” 504.

¹³⁷ *Ibid.*, 505.

¹³⁸ *Ibid.*

¹³⁹ UN, *Charter of the United Nations*, Article 2(4).

measures, including non-defensive uses of force, under Article 42. On the other hand, the norm was primarily designed for cases where governments are *themselves* the perpetrators, thereby “forfeiting” their right to sovereignty. In contrast, when a state is actively combating non-state armed groups, even if slowly or ineffectively, it is difficult to argue that the threshold of “manifest failure” has been met. Authorizing military intervention without state consent would risk violating a core tenet of the Charter and entrenched customary international law principle, all but guaranteeing the absence of support for authorization. Of course, international forces would likely face military resistance from the target state, significantly increasing the material risks and costs of non-consensual deployment.

Failure of Non-Coercive Measures (*Underlying*)

A regional request for international intervention—along with government consent for intervention when the perpetrators are non-state actors—almost always generates the final underlying necessary condition: **agreement among a majority of Council members, including all the P5, that non-coercive means are inadequate.** This requirement is similarly straightforward: enforcement measures, particular military measures under Article 42, are considered a last resort under treaty and customary international law. Instead, a strong international norm exists that non-coercive, non-military means must first be exhausted before the Security Council may consider the use of force.

The principle of last resort is implied in the structure of Chapter VII of the UN Charter, which, as an exception to Article 2(4), allows for the non-defensive use of force in response to threats to international peace and security.¹⁴⁰ Article 39 states:

¹⁴⁰ Security Council Report, *Security Council Action Under Chapter VII: Myths and Realities*, January 17, 2008, <https://www.securitycouncilreport.org/research-reports/lookup-c-glkwlemtisg-b-4202671.php>; BeomChul Shin, *An Inquiry on the Interpretation of Article 2(4) of the UN Charter and Its Implications for the Use of*

[t]he Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Following this determination, Article 40 permits the Council to “call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable,” “in order to prevent an aggravation of the situation,” before deciding on any measures. Subsequently, Article 41 allows the Council to “decide what measures not involving the use of armed force are to be employed,” such as economic sanctions or severing diplomatic relations. Finally, Article 42 states:

[s]hould the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

This progression from provisional measures, to sanctions, and finally to armed force implies that the Council should act gradually, resorting to coercive or military action only when peaceful, non-military means have been attempted and proven ineffective. As previously mentioned, this principle is embedded in paragraph 139 of the WSOD, which stipulates that the Council may consider collective action “should peaceful means be inadequate and national authorities are manifestly failing to protect their populations.” The critical threshold for resorting to Chapter VII measures is *not* the commission of violence or recognition that atrocity crimes are occurring, but rather agreement that non-coercive means are inadequate to stop them. In practice, this consensus almost always solidifies after a formal request or expression of consent for intervention from a regional organization and/or the target state.

Force (S.J.D. diss., Georgetown University Law Center, 2007), 248, https://repository.library.georgetown.edu/bitstream/handle/10822/1060419/shin_beomchul_sjd.pdf?sequence=1&isAllowed=y.

3.3 Enabling Factors

The catalysts outlined above—**(1) the escalation of large-scale violence against civilians during armed conflict, (2) a characterization or determination of atrocity crimes by UN officials, and (3) a regional and/or (4) target state request for intervention**—combined with three background conditions—**(1) the absence of P5 alignment with the perpetrator state, (2) recognition of a threat to international peace and security, and (3) consensus that peaceful means are inadequate**—form the jointly sufficient set of conditions for Security Council intervention in atrocity situations. When these conditions are present, the Council is highly likely to authorize Chapter VII measures to prevent or halt atrocity crimes. The complexity of this sufficient set should be unsurprising, given that intervention decisions are complex, multicausal outcomes. Still, one obvious implication is worth emphasizing: while decisions to intervene in atrocity crimes are not random, they are highly contextually bounded, occurring only under a specific and relatively rare constellation of conditions that are subject to interpretation by individual member states. This goes a long way to explaining why they remain exceptional events in international relations.

However, sufficient sets of conditions do not always offer a complete causal picture of why phenomena occur. As discussed in Chapter 2, some conditions are neither necessary for a phenomenon to occur nor capable of producing it alone, but still play an important causal role by facilitating it or making it more likely to occur. I call these conditions **enabling factors**. This section will briefly outline three factors that often play a key role in enabling intervention decisions, though they are not strictly necessary for Security Council intervention and cannot trigger authorization alone.

Strength of the R2P Norm (*Underlying*)

The first enabling factor is the **relative strength of the Responsibility to Protect (R2P) norm**, specifically its pillar 3b component. R2P was intended to increase the international community's responsiveness to atrocity crimes by motivating states to act in situations where they previously felt no obligation or incentive or were politically constrained. In theory, R2P can facilitate Security Council intervention by pressuring states to act, whether out of genuine commitment to civilian protection, an interest in norm adherence to avoid reputational harm or enhance their international standing, or a mix of normative and strategic motivations. At the same time, Council members may be motivated to act because they have internalized the norm and see themselves as "good members of international society"¹⁴¹ who comply with it. In short, R2P can shape both states' beliefs about appropriate conduct in atrocity situations and whether they perceive intervention as aligned with their immediate goals, thereby influencing the probability of authorization.

However, contrary to prevailing assumptions in the literature on international norms, R2P does not exert a stable or uniform influence on state behavior over time. Even when the norm is explicitly invoked or violence is characterized as atrocity crimes, R2P's impact on decision-making outcomes may vary across cases. As Annett Stimmer (2019) observes, "first wave" norm scholars usually treat norms as "relatively stable and clear"¹⁴² in meaning. For example, in their seminal article "International Norm Dynamics and Political Change," Martha Finnemore and Kathryn Sikkink (1998) argue that norm evolution culminates in norm internalization: when

¹⁴¹ Janina Dill, *Legitimate Targets? Social Construction, International Law and US Bombing* (Cambridge: Cambridge University Press, 2014), 47.

¹⁴² Anette Stimmer, "Beyond Internalization: Alternate Endings of the Norm Life Cycle," *International Studies Quarterly* 63, no. 1 (2019): 270–80, <https://doi.org/10.1093/isq/sqz001>. Also see: Anette Stimmer, *The Politics of International Norms: A Rhetorical Approach* (Cambridge: Cambridge University Press, 2025), 38–77.

norms “acquire a taken-for-granted quality and are no longer a matter of broad public debate.”¹⁴³ Yet, Stimmer notes, this theory does not account for ongoing debates over established norms or how such contestation affects their behavioral impact. In contrast, “second wave” norms scholars recognize that norm contestation “can occur at any stage of a norm’s life cycle, not just while it emerges.”¹⁴⁴ Specifically, contestation may occur whenever actors apply a general rule to a specific situation, which almost always prompts debate over its meaning, applicability, or validity.¹⁴⁵ The question, then, is what the outcomes of norm contestation are—that is, how agreement or disagreement on the meaning or applicability of norms shapes their future impact.

Drawing on rhetoric scholarship, Stimmer offers a more nuanced account of the outcomes of norm contestation than the binary of total acceptance or perpetual dispute.¹⁴⁶ Rhetoric scholars distinguish three aspects of an argument: a **frame** or warrant, which provides the justification for a **claim** or proposed action, and the **grounds** or empirical data that support the frame.¹⁴⁷ Frames are interpretive tools that allow actors to “locate, perceive, identify, and label” occurrences, helping them make sense of the world and determine how to act in it.¹⁴⁸ In Stimmer’s words: “frames help to classify events, [thereby] rendering them meaningful and limiting the range of acceptable actions.”¹⁴⁹ Importantly, frames are not objective accounts of reality, but rather interpretive acts. Actors may strategically emphasize certain aspects of a situation while downplaying others in order to gain support for their preferred interpretation and

¹⁴³ Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization* 52, no. 4 (1998): 892.

¹⁴⁴ Stimmer, “Beyond Internalization,” 271.

¹⁴⁵ *Ibid.*

¹⁴⁶ *Ibid.*, 272; also see: Anette Stimmer, *The Politics of International Norms: A Rhetorical Approach* (Cambridge: Cambridge University Press, 2025), 41.

¹⁴⁷ *Ibid.*

¹⁴⁸ Erving Goffman, *Frame Analysis: An Essay on the Organization of Experience* (Cambridge, MA: Harvard University Press, 1974), 21; cited in Stimmer, “Beyond Internalization,” 272.

¹⁴⁹ Stimmer, “Beyond Internalization,” 272.

legitimize a proposed action.¹⁵⁰ Accordingly, Stimmer argues that the framing of events is a “strategic practice that may prompt contestation,” leading to four possible outcomes: (1) **norm clarification** (agreement on frame and claim), (2) **norm recognition** (frame agreement, claim disagreement), (3) **norm neglect** (frame disagreement, claim agreement), and (4) **norm impasse** (disagreement on frame and claim).¹⁵¹

Norm clarification refers to “widespread agreement on a frame and claim”¹⁵² combination. In this scenario, states broadly agree that a particular action is appropriate in a specific situation, sharpening the norm’s meaning and strengthening its ability to influence state conduct. By establishing a clearer standard for appropriate conduct, norm clarification makes inappropriate behavior more obvious and costly, increasing the likelihood of consistent compliance. Similarly, **norm recognition** occurs when there is “widespread agreement on the norm frame but disagreement on the claim.”¹⁵³ In such cases, states share a common understanding of how to interpret a situation, indicating strong normative commitment, but diverge on what action should follow. This weakens normative certainty about the appropriate response to a situation and may reduce a norm’s behavioral impact.

In contrast, **norm impasse** is the “opposite of norm clarification:”¹⁵⁴ states remain divided over the scope or grounds of a norm’s applicability, and, consequently, over the appropriate course of action. When norm impasse persists over a long period of time, it prevents the establishment of clear precedents, weakening the norm by reducing certainty about how to respond in similar situations.¹⁵⁵ Notably, when impasse primarily centers on the “grounds”—the

¹⁵⁰ Ibid.

¹⁵¹ Ibid.; also see: Stimmer, *The Politics of International Norms*, 41.

¹⁵² Stimmer, *The Politics of International Norms*, 55.

¹⁵³ Ibid., 59.

¹⁵⁴ Ibid, “Beyond Internalization,” 274; Stimmer, *The Politics of International Norms*, 58.

¹⁵⁵ Ibid., 274.

facts of a case that determine whether a situation can be categorized under a frame—this indicates that the contested norm is still perceived as valid, despite disagreement over its applicability or consequences.¹⁵⁶ Finally, **norm neglect** occurs when states widely agree on a claim despite persistent disagreement over the frame.¹⁵⁷ In other words, “normative uncertainty persists despite tangible action.”¹⁵⁸ Like norm impasse, norm neglect is an unstable outcome: agreement on joint action produces a temporary consensus, but inevitably leads to renewed impasse (or possibly norm clarification) in the future.¹⁵⁹

In sum, Stimmer’s typology of the outcomes of norm contestation provides a useful tool for assessing norm strength. I argue that R2P—specifically the pillar 3b norm—is **strong** when it is in a state of norm clarification *or* recognition. In these scenarios, a majority of Security Council members, including all the P5, accept the pillar 3b “frame-claim” combination as valid: they agree that the international community has a responsibility to respond to atrocity crimes, *and* that, when peaceful means are inadequate, considering enforcement measures under Chapter VII is appropriate. When R2P is strong, the language of “responsibility” is usually central to how crises and policy responses are framed, pressuring states to act according to its standards of conduct. Importantly, even when states disagree over how to act in a situation, the strength of a norm frame can incentivize compliance. Accordingly, when R2P is in a state of norm recognition, it can still help build momentum toward intervention decisions when the necessary conditions are in place.

In contrast, R2P can be considered **weak** when it is in a state of norm neglect or impasse. In these cases, members of the Security Council do not accept R2P’s frame and/or behavioral

¹⁵⁶ Ibid.

¹⁵⁷ Stimmer, *Politics of International Norms*, 60.

¹⁵⁸ Stimmer, “Beyond Internalization,” 275.

¹⁵⁹ Ibid.

claim, with members strongly contesting or unwilling to apply it. In other words, states do not agree that the commission of atrocity crimes provides a justification for enforcement action, or they agree that Chapter VII intervention is warranted, but not because atrocity crimes are occurring. As a result, the language of responsibility is rarely invoked, if at all, and does not shape the framing of crises and policy responses or significantly influence state action. When R2P is weak, the likelihood of intervention is low, with alternative “frames” required to build consensus around the “claim” or propose course of action.

Table 3.11 Levels of Norm Strength and Causal Impact on UNSC Decision-Making

Norm Status	Definition	Norm Strength	Causal Impact
Norm Clarification	Agreement on both frame and claim (shared interpretation of both situation and appropriate action)	Strong	Strong pressure to act; increases likelihood of intervention
Norm Recognition	Agreement on frame but disagreement on claim (shared interpretation of situation but not of appropriate action)	Strong	Pressure exists despite disagreement on behavioral claim; action is contingent but still possible
Norm Neglect	Disagreement on frame but agreement on claim (shared view on appropriate response but not on justification and/or grounds)	Weak	Intervention may occur but not based on R2P, requires alternative “frame” or justification
Norm Impasse	Disagreement on both frame and claim (no shared interpretation of situation or appropriate action)	Weak	Weak or no impact on state behavior; low chances of intervention

Secretary-General Support (*Proximate*)

A second enabling factor for Security Council intervention in atrocity crimes is a **request or recommendation from the UN Secretary-General for enforcement action**, in either a letter or report to the Security Council, or a statement made during a briefing. Similar to requests from regional organizations, a recommendation for collective action from the Secretary-General

creates pressure on the Council to act, while lending the proposed intervention further political legitimacy—though it is not strictly necessary to spur action.

Secretary-Generals typically work closely with regional organizations in leading or supporting crisis management efforts, and their positions tend to reflect and reinforce regional positions. Accordingly, requests for intervention from Secretary-Generals carry significant political weight, but are not usually decisive in swaying Council decision-making; rather, they amplify and legitimize regional positions. The Secretary-General's stance has at times diverged from that of regional organizations, such as when Ban Ki-moon called for international intervention in Libya despite opposition from the AU.¹⁶⁰ Still, endorsements by the Secretary-General alone are almost never sufficient to compel Council action. In Libya, for instance, Ban's endorsement aligned with an explicit request for intervention from the League of Arab States, which was considered the more relevant regional body. Thus, while AU members opposed intervention, their position carried less political weight.

Secretary-Generals vary in their degree of political activism in atrocity situations. Some have taken on “activist” roles, publicly drawing attention to human rights abuses and pressuring the Security Council to respond, while others have adopted an “administrator role,” playing a more passive role in international agenda-setting.¹⁶¹ Article 97 of the UN Charter designates the Secretary-General as “the chief administrative officer of the Organization.”¹⁶² At the same time, Article 99 provides that the Secretary-General

may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.¹⁶³

¹⁶⁰ See: UNSC, S/PV.6490, February 25, 2011, <https://docs.un.org/S/PV.6490>.

¹⁶¹ Council on Foreign Relations, “The Role of the Secretary-General,” <https://www.cfr.org/backgrounder/role-un-secretary-general#chapter-title-0-3>.

¹⁶² UN, *Charter of the United Nations*, Article 97.

¹⁶³ *Ibid.*, Article 99.

While this provision empowers Secretary-Generals to adopt an “activist” approach to identifying threats to the peace, the extent to which they do so depends largely on their individual disposition and the international environment during their tenure. In either case, a request from the Secretary-General can help amplify pressure on the Council to act; absent such support, the bar for persuading Council members to intervene remains high.

When Considering Military Intervention

Rapid Response Capabilities (*Underlying*)

The final factor that enables support for Security Council intervention in atrocity crimes, applicable in cases of *military intervention*, is the presence of **robust rapid response capabilities**: the ability to quickly and effectively deploy military resources to halt ongoing violence.¹⁶⁴ These capabilities may include pre-trained, equipped, and strategically deployed UN or regional peacekeepers; the ability of an individual member state or coalition of states to immediately deploy forces and equipment; or a combination of both. When strong rapid response capabilities exist, it increases the feasibility and chances of success of military action, making states more likely to support intervention at that juncture.

In contrast, only **adequate** or **limited** rapid response mechanisms may exist. In such cases, states possess some capabilities for rapid deployment, but they do not confer a decisive military advantage over the perpetrators, or they remain incomplete. For example, an existing peacekeeping mission may be understaffed or under-resourced, limiting its ability to redeploy troops to another country or region within a state, or to respond effectively to threats within its

¹⁶⁴ See: Jared Genser, “The United Nations Security Council’s Implementation of the Responsibility to Protect: A Review of Past Interventions and Recommendations for Improvement,” *Chicago Journal of International Law* 18, no. 2 (2018): 428, <https://chicagounbound.uchicago.edu/cjil/vol18/iss2/2/>.

current area of operation. In other cases, member state forces may not be strategically positioned to intervene rapidly in the affected state or region where violence is occurring.

While limited rapid response capabilities lower the probability of intervention at a particular juncture, they do not necessarily preclude it. The Security Council may authorize intervention with the understanding that adequate military capabilities will be built up or contributed by member states, as was the case in Libya. However, when rapid response mechanisms are **inadequate** or **nonexistent**—whether due to insufficient funding, limited personnel or equipment, or the absence of a military footprint in a country or region—the chances of intervention diminish. In such cases, the feasibility and prospects of success are uncertain, discouraging states from supporting intervention.

Table 3.12 Levels of Rapid Response Capabilities

Capability Levels	Description	Causal Impact
Strong	Robust military capabilities exist, including existing peacekeeping missions and/or forward-deployed member state forces	Increases feasibility and prospects of success; intervention is more likely
Adequate/Limited	Some capabilities exist, but they are not decisive or only partially operational (e.g., under-resourced peacekeeping missions)	Reduces likelihood, but Council may still authorize intervention on expectation of capacity buildup
Inadequate/Non-Existent	Little or no ability to intervene due to major gaps in capacity, capabilities, or readiness	Reduces feasibility and prospects of success at that juncture; diminishes likelihood of intervention

Part II

Positive Case Studies

Chapter 4

Côte D'Ivoire

“No more, never again. Africans cannot sit in Africa and watch the tragedies developing in the continent and say it is the UN’s responsibility. We have moved from the concept of non-interference to non-indifference. We cannot as Africans remain indifferent to the tragedy of our people.”
– Saïd Djinnit, 2004

The previous two chapters advanced a theory of the conditions under which the Security Council intervenes in situations of atrocity crimes. The theory outlined a set of necessary conditions that, together, are almost always sufficient for the Council to authorize Chapter VII measures in response to atrocity crimes. It also highlighted enabling factors that increase the likelihood of intervention, as well as preclusive conditions that make it practically impossible. The second section of the thesis tests these theoretical claims through case study analysis. As discussed in Chapter 1, I examine three “paradigmatic” positive cases—Côte d’Ivoire (2011), Libya (2011), and Sudan (2006)—to demonstrate how the causal process unfolds under “normal,” favorable conditions.

This chapter begins with a case study of the Security Council’s response to the 2010–2011 electoral crisis in Côte d’Ivoire. I argue that this case illustrates the full set of both necessary and enabling conditions for intervention. All three catalysts occurred in succession: following the disputed presidential election of December 2010, incumbent Laurent Gbagbo refused to cede power, launching a campaign of violence against his opponent’s supporters. By March 2011, Côte d’Ivoire had descended into armed conflict, with an estimated 1,000 to 1,500 civilians killed. During this period, United Nations (UN) repeatedly officials that the violence

may amount to atrocity crimes. In mid-March, after Gbagbo's forces deployed heavy weapons against civilians, the Economic Community of West African States (ECOWAS) requested that the Security Council impose sanctions against Gbagbo and strengthen the ability of UN peacekeepers to protect civilians.

Crucially, the underlying necessary conditions were present in Côte d'Ivoire, enabling these events to catalyze the decision-making process toward intervention. Gbagbo lacked close ties with any permanent member (P5) of the Security Council, leaving him without veto-wielding defenders. For various reasons—including Gbagbo's unpopularity, concerns about spillover effects in the West African region, and the prospect of a broader civil war—Council members unanimously recognized the situation as a threat to international peace and security, passing three resolutions to that effect between December and March. Following ECOWAS's appeal for international intervention, consensus emerged that peaceful means were insufficient, with no state opposing the consideration of enforcement measures.

Importantly, key enabling factors aligned to facilitate a quick and decisive response. The Responsibility to Protect (R2P) norm—widely regarded at the time as valid and important—shaped Security Council discussions and facilitated agreement that intervention was justified. Then-UN Secretary-General Ban Ki-moon also vocally advocated for action, supporting calls from regional and domestic actors. Finally, the conditions on the ground in Côte d'Ivoire were favorable for military action: by March 2011, Gbagbo's modest forces were weakened, while international forces—including UN and French troops—were positioned to immediately respond. These conditions, while they were not strictly necessary, help explain why the Security Council rapidly authorized intervention, allowing international forces to disable Gbagbo's forces and protect civilians from further violence.

Table 4.1 Conditions for UNSC Action in Côte d’Ivoire

Causal Role	Causal Directness	Condition	Value
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	Present
		UN atrocity characterization	Present
		Regional request for intervention	Present
	<i>Underlying</i>	Absence of P5 alignment	Present
		Recognition as IPS threat under Art. 39	Present
		Consensus on failure of non-coercive means	Present
Enabling	<i>Proximate</i>	Secretary-General request for intervention	Present
	<i>Underlying</i>	R2P salience	Strong
		Perpetrator military strength	Weak
		Rapid response capabilities	Strong

4.1 Côte d’Ivoire’s Post-Election Crisis, 2010–2011

The 2010–2011 crisis in Côte d’Ivoire began after the country’s disputed presidential elections in November 2010, the first such election in a decade. The vote followed a five-year delay caused by the country’s 2002–2007 civil war, as well as a fragile peace process that left Ivoirians deeply divided along political and ethnic lines.¹ The roots of the crisis can be traced to a post-independence shift in Côte d’Ivoire’s ethnic composition and longstanding struggles over political power. After gaining independence from France in 1960, Côte d’Ivoire enjoyed relative economic stability and prosperity under President Felix Houphouët-Boigny, a Roman Catholic from the country’s central region.² During his presidency, Houphouët-Boigny pursued economic development through export-led growth and an open-door immigration policy, transforming Côte

¹ Nicolas Cook, *Côte d’Ivoire’s Post-Election Crisis*, CRS Report RS21989 (Washington, DC: Congressional Research Service, January 28, 2011), accessed via Refworld, <https://www.refworld.org/reference/countryrep/uscrs/2011/en/77152>; Amnesty International USA, *Annual Report: Côte d’Ivoire 2011*, June 27, 2011, <https://www.amnestyusa.org/reports/annual-report-cote-divoire-2011/>.

² Human Rights Watch, *The Best School: Student Violence, Impunity, and the Crisis in Côte d’Ivoire*, May 21, 2008, <https://www.hrw.org/reports/2008/cdi0508/6.htm>.

d'Ivoire into a regional economic hub. Migrant workers—mainly from Burkina Faso, Mali, and Guinea—soon comprised a quarter of the country's population.³

Despite driving economic growth, Houphouët-Boigny ruled as an autocrat, consolidating a single-party state dominated by his party, PDCI (Democratic Party of Côte d'Ivoire). He relied on a coalition of ethnic groups from the north and center to maintain power, banning opposition parties for over three decades.⁴ During this period, a key critic of the regime was Laurent Gbagbo, a Roman Catholic history professor and trade unionist who advocated for multi-party rule.⁵ After a period of exile in France, Gbagbo returned to Côte d'Ivoire and ran against Houphouët-Boigny in the country's first multi-party election in 1990.⁶ Although he lost, he secured a seat in the National Assembly. From there, Gbagbo began promoting xenophobic politics. When Houphouët-Boigny appointed Alassane Ouattara—a northern Muslim economist descended from a prominent Burkinabe family—as prime minister, Gbagbo denounced the government as being led by “foreigners.”⁷

Following Houphouët-Boigny's death in 1993, Côte d'Ivoire was thrust into political turmoil, with candidates representing diverse ethnicities and regions vying for power.⁸ Ultimately, Henri Konan Bédié, a longtime member of the PDCI and close ally of Houphouët-Boigny, secured victory. To sideline Ouattara and other political challengers, Bédié coined the term “Ivorianité”: an exclusionary ideology that questioned whether northerners and immigrants were “true” Ivorian citizens.⁹

³ Ibid.

⁴ Human Rights Watch, “*They Killed Them Like It Was Nothing*”: *The Need for Justice for Côte d'Ivoire's Post-Election Crimes*, October 5, 2011, <https://www.hrw.org/report/2011/10/05/they-killed-them-it-was-nothing/need-justice-cote-divoires-post-election-crimes>.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

In 1999, a military coup ousted Bédié, and General Robert Gueï briefly seized control of the country. However, Gbagbo defeated Gueï in the 2000 presidential election and assumed power, exploiting the concept of *Ivrité* to consolidate power and marginalize political opponents such as Ouattara, just as Houphouët-Boigny had done.¹⁰ By 2002, grievances over the marginalization of Muslim and immigrant communities fueled an insurgency by the MPCI (Patriotic Movement of Côte d'Ivoire), plunging the country into a two-year civil war that split the country between the predominantly Muslim, rebel-held north, and the largely Christian, government-controlled south. Although large-scale fighting ended after 2004, Côte d'Ivoire remained effectively partitioned. In 2007, Burkina Faso brokered a peace deal to bring rebel leader Guillaume Soro into the government as prime minister, helping to restore a degree of political stability.

Gbagbo, however, maintained a tight grip on power. From 2005—when his term officially ended—until 2010, he repeatedly delayed holding presidential elections, citing various reasons such as security concerns and voter registration issues.¹¹ After six postponements and mounting domestic and international pressure, a first-round of the presidential election was finally held in October 2010, followed by a runoff between Gbagbo and Ouattara, the two leading candidates.¹² By this point, Gbagbo was deeply unpopular in many parts of the country, and Ouattara won the election by a six-point margin. However, when the electoral commission announced Ouattara as the winner, Gbagbo declared he would not accept the results. With Gbagbo refusing to concede and Ouattara determined to take office, both candidates

¹⁰ Phil Clark, "Ivory Coast's Laurent Gbagbo: From democrat to autocrat," *BBC News*, April 11, 2011, <https://www.bbc.com/news/world-africa-12985617>.

¹¹ Human Rights Watch, "*They Killed Them Like It Was Nothing.*"

¹² Jared Genser, "The United Nations Security Council's Implementation of the Responsibility to Protect: A Review of Past Interventions and Recommendations for Improvement," *Chicago Journal of International Law* 18, no. 2 (2018): 435, <https://chicagounbound.uchicago.edu/cjil/vol18/iss2/2/>.

independently inaugurated themselves president, effectively forming rival governments and reigning disputes over power and ethnicity.¹³

Security forces under Gbagbo's control subsequently launched a campaign of violence against real and perceived supporters of Ouattara.¹⁴ Throughout December 2010, violence escalated as Gbagbo's forces targeted civilians in Abidjan—the seat of the government—and western areas of the country, committing grave human rights violations including murder, rape, imprisonment, and enforced disappearance.¹⁵ In response, the Security Council adopted Resolution 1962 on December 20 renewing the mandate of the UN Operation in Côte d'Ivoire (UNOCI), which had been stationed there since 2004.¹⁶ A month later, it also adopted Resolution 1967 authorizing the deployment of additional military personnel and capacity to the mission.¹⁷

Meanwhile, the AU and ECOWAS attempted to mediate a peace deal throughout January and February 2011. Despite these efforts, Côte d'Ivoire descended into armed conflict by late February, as fighting between pro-Gbagbo forces and armed forces supporting Ouattara intensified in Abidjan.¹⁸ In early March, the UN Human Rights Council (HRC) established a commission of inquiry (COI) to investigate the alleged human rights abuses. Within a week, the situation deteriorated further after pro-Gbagbo forces deployed heavy weapons against civilians in Abidjan, where UN peacekeepers were stationed.¹⁹ At the end of March, intercommunal

¹³ Alex J. Bellamy and Paul D. Williams, "The New Politics of Protection? Côte d'Ivoire, Libya and the Responsibility to Protect," *International Affairs* 87, no. 4 (2011): 832.

¹⁴ Human Rights Watch, "Côte d'Ivoire: Crimes Against Humanity by Gbagbo Forces," March 15, 2011, <https://www.hrw.org/news/2011/03/15/cote-divoire-crimes-against-humanity-gbagbo-forces>.

¹⁵ Ibid.; Human Rights Watch, "They Killed Them Like It Was Nothing"; International Criminal Court, *Request for Authorization of an Investigation Pursuant to Article 15*, ICC-02/11-3, June 23, 2011, 3, https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2011_07959.PDF.

¹⁶ United Nations Security Council (UNSC), S/RES/1962, December 20, 2010, [https://docs.un.org/S/RES/1962\(2010\)](https://docs.un.org/S/RES/1962(2010)).

¹⁷ UNSC, S/RES/1967, January 19, 2011, [https://docs.un.org/S/RES/1967\(2011\)](https://docs.un.org/S/RES/1967(2011)).

¹⁸ ICC, *Request for Authorization of an Investigation Pursuant to Article 15*, 3.

¹⁹ BBC News, "Ivory Coast Crisis: 'Deadly Shelling' in Abidjan," March 17, 2011, <https://www.bbc.com/news/world-africa-12778001>.

violence escalated sharply in the western town of Duékoué, where an estimated 800 people were killed between March 28 and March 30.²⁰

On March 30, the Security Council responded to the spiraling violence by adopting Resolution 1975. The resolution authorized UNOCI to use “all necessary means to protect civilians...including to prevent the use of heavy weapons,” and imposed sanctions on Gbagbo and his associates for committing “serious violations of human rights and international humanitarian law.”²¹ On April 4, pursuant to Resolution 1975, Ban Ki-moon instructed UNOCI to prevent the use of heavy weapons against the civilian population with the support of French forces.²² The same day, a UN helicopter, backed by French forces, attacked Gbagbo’s military camps, destroying their weapons system and effectively preventing further targeting of civilians.²³ The intervention reversed the course of the conflict, with Ouattara’s forces arresting Gbagbo by April 11.²⁴ In May, the Chief Prosecutor of the International Criminal Court (ICC) opened an investigation into alleged war crimes and crimes against humanity in Côte d’Ivoire, ultimately issuing an arrest warrant for Gbagbo in November.²⁵

Resolution 1975 represents a “paradigmatic” case of collective action by the Security Council—that is, precisely the type of response R2P was intended to encourage and facilitate in situations of atrocity crimes. The Council swiftly and decisively intervened to halt escalating violence, successfully disabling the perpetrators and preventing the commission of further

²⁰ David Batty, “800 Dead in Ivory Coast Violence around Duékoué City, Says Red Cross,” *The Guardian*, April 2, 2011, <https://www.theguardian.com/world/2011/apr/02/800-dead-ivory-coast-duekoue>.

²¹ UNSC, S/RES/1975, March 30, 2011, [https://undocs.org/S/RES/1975\(2011\)](https://undocs.org/S/RES/1975(2011)), 3.

²² CBS News, “UN Helicopter Fires at Gbagbo Ivory Coast Forces,” April 4, 2011, <https://www.cbsnews.com/news/un-helicopter-fires-at-gbagbo-ivory-coast-forces/>.

²³ *Ibid.*

²⁴ Bellamy and Williams, “The New Politics of Protection?” 835.

²⁵ International Criminal Court, ICC-02/11-01/11-1, Warrant of Arrest for Laurent Koudou Gbagbo issued under seal on November 23, 2011 (unsealed November 30, 2011), Pre-Trial Chamber III, <https://www.icc-cpi.int/court-record/icc-02/11-01/11-1>.

crimes. The question, then, is why and how the decision to intervene came about. The following sections more closely examine the arc of the international and regional response to Côte d'Ivoire's crisis from December to March. I evidence that the three theorized catalysts occurred in succession, with the necessary underlying conditions enabling these events to advance the decision-making process, and the enabling factors identified helping build momentum toward intervention.

4.2 Recognition of a Threat to International Peace and Security

The Security Council held its first meeting on the post-electoral crisis in Côte d'Ivoire on December 7, 2010, ten days after Gbagbo and Ouattara faced off in the second round of the country's presidential election. During the meeting, the head of UNOCI, Choi Young-jin, briefed the Council on the security situation.²⁶ The meeting had been called in response to escalating tensions following the announcement of disputed election results with the goal of issuing a statement.²⁷

Five days earlier, on December 2, the Ivorian Independent Electoral Commission had announced that Ouattara won the presidential run-off with 54.1 percent of the vote, while Gbagbo had received only 45.9 percent.²⁸ The next day, the Ivorian Constitutional Council—led by a staunch Gbagbo ally—disputed the results, claiming that Gbagbo had won.²⁹ Nonetheless, pursuant to his mandate in Resolution 1765 (2007), Choi certified the results of the elections the

²⁶ UNSC, S/PV.6437, December 7, 2010, <https://docs.un.org/S/PV.6437>.

²⁷ Security Council Report, "Update Report No. 2: Côte d'Ivoire."

²⁸ Ibid.

²⁹ Ibid.

same day, recognizing Ouattara as the winner based on Choi's independent assessment.³⁰

Standing by this appraisal in his briefing to the Council, Choi confirmed that Ouattara had prevailed:

Meanwhile, I, as a certifier of the Ivorian elections, had completed the analysis and evaluation of 20,000 tally sheets provided to me by the Ivorian authorities for the purposes of certification... The result I obtained through my certification methods was very clear. There was only one winner, by a clear margin.³¹

According to *Security Council Report*, a key concern for the Security Council was “preventing the tense security situation from igniting a return to civil war—or even worse—the outbreak of mass atrocities based on ethnic divisions.”³² Another issue raised was “the potential destabilizing effect that the fragile security situation in Côte d’Ivoire could have on peace and security in the West African region.”³³ While most members favored a clear statement of support for Choi's certification, China and Russia were “apparently anxious about the ‘precedent setting’ nature [of] such action for international law,”³⁴ arguing in closed consultations that the contested election was a domestic matter. However, other members countered that the Council itself had mandated the certification through Resolution 1765, as part of efforts to rebuild trust between Ivorian parties after the 2004 civil war.³⁵

Thus, at the outset of the crisis, Security Council members were both aware of the risk of atrocity crimes and concerned about spillover effects on neighboring countries. However, there was not yet consensus that the situation constituted a threat to international peace and security,

³⁰ Ibid.

³¹ S/PV.6437, 2.

³² Security Council Report, “Update Report No. 2.”

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

with China and Russia arguing that the electoral dispute was an internal matter and questioning whether it was appropriate for the Council to step in.

In contrast, regional actors acted swiftly in response to the standoff. On the same day as Choi's briefing, ECOWAS—a regional organization founded in 1975 to promote economic cooperation and maintain peace and security in West Africa—took the extraordinary step of suspending Côte d'Ivoire.³⁶ “The heads of state and government recognised Mr Alassane Dramane Ouattara as president-elect of Ivory Coast,” a statement announcing the suspension read, and “called on Mr Laurent Gbagbo to abide by the results of the second round of the presidential elections as certified by [UNOCI] and to yield power without delay.”³⁷ A week later, the African Union (AU)—Africa's most influential regional organization, founded in 2002 to promote continental unity, economic development, and peace and security—followed suit.³⁸ On December 9, the AU suspended Côte d'Ivoire from “all AU activities, until such a time as the democratically-elected president effectively assumes state power,”³⁹ endorsing ECOWAS's decision to recognize the Independent Electoral Commission's results, as certified by UNOCI. The organization also “strongly [urged] Mr. Laurent Gbagbo to respect the results of the election and to facilitate, without delay, the transfer of power to the president-elect.”⁴⁰

Following these actions, the Security Council reached a consensus on calling the election. On December 8, the Council issued a press statement calling on Ivorian parties to respect the outcome of the election “in view of ECOWAS[’s] recognition of Alassane Dramane Ouattara as

³⁶ Al Jazeera, “Côte d'Ivoire Expelled from ECOWAS,” *Al Jazeera*, December 7, 2010, <https://www.aljazeera.com/news/2010/12/7/cote-divoire-expelled-from-ecowas>.

³⁷ Ibid.

³⁸ CNN, “African Union Suspends Ivory Coast Amid Political Chaos,” December 9, 2010, <https://edition.cnn.com/2010/WORLD/africa/12/09/ivory.coast.au/index.html>.

³⁹ Ibid.

⁴⁰ Ibid.

president-elect of Côte d'Ivoire."⁴¹ On December 20, it formally endorsed this view in Resolution 1962. "Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region," and "[a]cting under Chapter VII of the Charter of the United Nations," the Council urged all Ivorian parties to "respect...the outcome of the election in view of ECOWAS and African Union's recognition of [Ouattara] as President-elect,"⁴² renewing UNOCI's mandate for six months. As Alex Bellamy and Paul Williams (2011) observe, the decision to call the election was remarkable because it overrode the Constitutional Council. Although it was known to be Gbagbo-aligned, the move was significant for members such as China and Russia, who had historically been staunch supporters of the state sovereignty norm.⁴³ While no statements were made after the vote, the text of Resolution 1962 recalls the recognition of Ouattara as president-elect by ECOWAS and the AU, suggesting that the position of regional organizations was key to enabling consensus within the Council.

4.3 The Escalation of Large-Scale Violence Against Civilians and UN Atrocity Warnings

Shortly after the Security Council adopted Resolution 1962, serious concerns arose about the risk of atrocity crimes. Gbagbo's security forces had already been conducting a violent crackdown on Ouattara's supporters for several weeks.⁴⁴ Immediately after the election, when Ouattara supporters took to the streets, Gbagbo's forces responded with lethal force, firing rifles, pistols, and grenades into crowds of civilians.⁴⁵ On December 14, Ouattara called on his

⁴¹ UNSC, SC/10105-AFR/2079, December 8, 2010, <https://docs.un.org/sc/10105-AFR/2079>.

⁴² S/RES/1962, 2.

⁴³ Bellamy and Williams, "The New Politics of Protection?" 832.

⁴⁴ Human Rights Watch, "*They Killed Them Like It Was Nothing*."

⁴⁵ Ibid.

supporters to march on December 16 and seize Gbagbo’s television station, a key tool the regime used to incite violence against Ouattara’s supporters.⁴⁶ In response, state security forces violently suppressed the protest, killing at least 32 people.⁴⁷ By mid-December, Gbagbo’s forces began carrying out extrajudicial killings, enforced disappearances, and gang rapes, systematically targeting members of Ouattara’s party.⁴⁸ The violence led thousands of refugees to cross the Liberian border, with over 13,000 refugees registered by late December.⁴⁹

At this point, Gbagbo still had not ceded power to Ouattara, prompting international and regional actors to both increase diplomatic pressure while offering an off-ramp. On December 22, the World Bank froze \$832 million in aid to Côte d’Ivoire, stating that it “[supported] the message to President Gbagbo that he lost the elections and he needs to step down.”⁵⁰ The same day, the United States announced that it was in talks with leaders from the region about providing military reinforcement to UNOCI.⁵¹ “It could be that that kind of reinforcement would be another way to send a message to President Gbagbo,” a State Department spokesperson said.⁵² Two days earlier, several African states had offered Gbagbo a “soft landing” in exile if he agreed to step down, but he showed no sign of agreeing.⁵³ Guillaume Soro, the prime minister of

⁴⁶ Ibid.

⁴⁷ Ibid.

⁴⁸ Human Rights Watch, “*They Killed Them Like It Was Nothing*”; Human Rights Watch, “Côte d’Ivoire: Pro-Gbagbo Forces Abducting Opponents,” December 23, 2010, <https://www.hrw.org/news/2010/12/23/cote-divoire-pro-gbagbo-forces-abducting-opponents>.

⁴⁹ Human Rights Watch, “*They Killed Them Like It Was Nothing*.”

⁵⁰ Ibid.; Reuters, “World Bank Says Ivory Coast Financing Frozen,” *Reuters*, December 22, 2010, <https://www.reuters.com/article/markets/commodities/world-bank-says-ivory-coast-financing-frozen-idUSPISMNE6NC/>.

⁵¹ United States Department of State, *Daily Press Briefing – December 22, 2010*, <https://2009-2017.state.gov/r/pa/prs/dpb/2010/12/153518.htm>.

⁵² Ibid.

⁵³ Reuters, “Ivory Coast President Offered Exile in Africa: US,” December 17, 2010, <https://www.reuters.com/article/world/ivory-coast-president-offered-exile-in-africa-us-idUSJOE6BG0FE/>.

Ouattara's rival government, told a French television network that if such measures fail, the "only solution left" was for the international community to use force to oust him.⁵⁴

Significantly, this view had gained traction within ECOWAS. By this stage, the United States estimated that nearly 200 people had been killed in the post-election violence. At a Special Session of the Human Rights Council on December 23, US Representative to the UN in Geneva Betty King stated:

We have credible reports that almost 200 people may have already been killed, with dozens more tortured or mistreated, and others have been snatched from their home in the middle of the night.⁵⁵

At the same meeting, UN Deputy High Commissioner for Human Rights Kyung-wha Kang stated that she could confirm 173 killings and 90 cases of torture or ill treatment in the past week.⁵⁶ However, she added, it had been "impossible to investigate all the allegations of serious human rights violations, including reports of mass graves, due to restrictions on movement by UN personnel."⁵⁷ Meanwhile, a day earlier, the UN General Assembly had recognized Ouattara as the winner of the presidential election, while West Africa's central bank (BCEAO) had cut off Gbagbo's access to state funds.⁵⁸

After an emergency summit on December 24, ECOWAS issued a statement declaring that Gbagbo should step down or face "legitimate force."⁵⁹ Expressing "deep concern over the unacceptably high number of lives lost since 7 December 2010," it announced that a high-level

⁵⁴ France24, "'Force is the only option,' says senior Ivorian leader," December 22, 2010, <https://www.france24.com/en/20101222-ivory-coast-guillaume-soro-force-only-option-ouattara-prime-minister>.

⁵⁵ David Smith, "Ivory Coast Violence May Have Claimed Almost 200 Lives, Says US Envoy," *The Guardian*, December 23, 2010, <https://www.theguardian.com/world/2010/dec/23/ivory-coast-death-toll-almost-200>.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ France24, "'Stand Down or Face Legitimate Force,' ECOWAS Tells Gbagbo," December 24, 2010, <https://www.france24.com/en/20101224-ivory-coast-ecowas-gbagbo-stand-down-or-face-legitimate-force-election>.

delegation would be an “ultimate gesture” to Gbagbo to persuade him to leave peacefully.⁶⁰ However, “[i]n the event that Mr Gbagbo fails to heed the immutable demand of ECOWAS,” the organization “will be left with no alternative but to take other measures, including the use of legitimate force, to achieve the goals of the Ivorian people,”⁶¹ a final statement from the summit read.

Multiple senior UN officials also began sounding the alarm about the risk of atrocity crimes. On December 29, Ouattara’s newly appointed UN ambassador, Youssoufou Bamba, warned that Côte d’Ivoire was on the “brink of genocide.”⁶² The same day, the UN Special Advisers on the Prevention of Genocide and the Responsibility to Protect, Francis Deng and Edward Luck respectively, expressed “grave concern”⁶³ about the situation, noting the “use of inflammatory speech by political leaders to incite hatred and violence” and reports that the homes of Gbagbo’s political opponents had been marked to identify their ethnicity.⁶⁴ They reminded “all parties of their responsibility to protect,” stressing that this entailed “the prevention of these crimes, importantly including their incitement.”⁶⁵ In a letter to the Security Council on January 10, Ban Ki-moon further warned that the situation could “quickly degenerate into widespread conflict,” highlighting the “state media’s incitement of hostility and violence against particular Ivorian ethnic, religious, and political groups.”⁶⁶ Accordingly, he

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Al Jazeera, “Côte d’Ivoire on ‘Edge of Genocide,’” *Al Jazeera*, December 30, 2010, <https://www.aljazeera.com/news/2010/12/30/cote-divoire-on-edge-of-genocide>.

⁶³ United Nations Press, *UN Secretary-General’s Special Advisers on the Prevention of Genocide and the Responsibility to Protect on the Situation in Côte d’Ivoire*, December 29, 2010, <https://www.un.org/en/genocideprevention/documents/media/statements/2010/English/2010-12-29-Special%20Advisers%20Statement%20on%20Cote%20d'Ivoire..pdf>.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ UNSC, *Letter dated 7 January 2011 from the Secretary-General addressed to the President of the Security Council*, S/2011/5, January 10, 2011, <https://docs.un.org/S/2011/5>.

recommended the authorization of military reinforcement to UNOCI ensure that the mission could “make credible efforts to protect civilians.”⁶⁷

According to *Security Council Report*, the issue the Security Council faced at this stage was whether to support Ban’s recommendations, and to what extent. There was a loose consensus on the need to reinforce UNOCI with additional personnel and equipment, but “mainly because Ban’s request was of a technical nature and did not involve an additional enforcement role.”⁶⁸ To be sure, members were concerned that the situation was “ripe for the commission of mass atrocities” with potentially “destabilizing effects on peace and security in West Africa.”⁶⁹ However, some states, namely China and Russia, remained wary of using of force to oust Gbagbo as ECOWAS had threatened, questioning “the risks involved as well and the merit of the option in resolving the larger issue of peace consolidation in the country.”⁷⁰

On January 19, the Security Council ultimately adopted Resolution 1967 authorizing military reinforcement to UNOCI, in line with Ban Ki-moon’s recommendations. Expressing “deep concern over the continued violence and human rights violations,” recalling the “primary responsibility” of Ivorian leaders to protect civilians, and “[a]cting under Chapter VII of the Charter of the United Nations,” the Council authorized, “as recommended by the Secretary-General in his letter dated 7 January 2011[,] the deployment of an additional 2,000 military personnel to UNOCI.”⁷¹ Furthermore, it “reiterat[ed] its readiness to impose measures, including targeted sanctions against those who obstruct the work of UNOCI.”⁷²

⁶⁷ Ibid.

⁶⁸ Security Council Report, “Update Report No. 2: Côte d’Ivoire.”

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ S/RES/1967, 4.

⁷² Ibid.

On the one hand, this language reflects the growing influence of R2P on the Security Council’s response. The Council clearly recognized the risk of atrocity crimes, as Ban and the Special Advisers had warned, and was “gearing up for a fight”⁷³ with Gbagbo by strengthening UNOCI’s capacity. On the other hand, the Council was unprepared to consider enforcement measures at this juncture, despite warnings from UN and Ivorian officials of the risk of atrocity crimes. While some members were open to using force, there was no consensus that this was a necessary or appropriate course of action. It is likely that justification ECOWAS had invoked—enforcing a transfer of power—discouraged China and Russia from viewing military intervention as justified. At the same time, ECOWAS had not, in fact, formally requested the Council to intervene. Absent a consensus that peaceful means were exhausted, the option to consider Chapter VII measures remained foreclosed.

4.4 The Onset of Armed Conflict and a Request for Intervention from ECOWAS

By the end of January 2011, Côte d’Ivoire stood on the brink of civil war.⁷⁴ Over 30,000 refugees had fled to Liberia, while more than 17,000 people were internally displaced.⁷⁵ Reports of mass graves had emerged, as well as of the brazen use of state-controlled media to broadcast hate speech and incitement to violence against perceived Ouattara supporters.⁷⁶ Yet, with coercive measures off the table, diplomatic efforts pressed forward. On January 28, the African Union (AU) Peace and Security Council established a high-level panel to negotiate a political

⁷³ Alter Lotze, “A Tale of Two Councils: The African Union, The United Nations and the Protection of Civilians in Côte d’Ivoire,” *Global Responsibility to Protect* 3, no. 3 (2011): 368.

⁷⁴ Human Rights Watch, “*They Killed Them Like It Was Nothing.*”

⁷⁵ Security Council Report, “Côte d’Ivoire, March 2011 Monthly Forecast,” March 2011, https://www.securitycouncilreport.org/monthly-forecast/2011-03/lookup_c_glkwlemtisg_b_6579245.php.

⁷⁶ *Ibid.*

solution to the crisis, granting it one-month to conclude its work.⁷⁷ The panel met separately with Gbagbo and Ouattara in Abidjan from February 21 to 22, but failed to reach a settlement.⁷⁸

According to *Security Council Report*, the Security Council was primarily concerned at this stage with balancing its role in crisis management with that of regional actors.⁷⁹ Members were in a “wait-and-see mode” as they awaited the outcome of the AU panel’s work, while “remain[ing] mindful of their responsibility to act when necessary based on developments on the ground.”⁸⁰

Despite regional efforts to broker a peace deal, the situation deteriorated into armed conflict in late February, with military units controlled by Gbagbo and Ouattara for the first time clashing directly in Abidjan on February 24.⁸¹ Subsequently, Ouattara’s forces—les Forces Nouvelles—captured several villages under Gbagbo’s control, breaching the terms of the 2004 ceasefire line.⁸² As the fighting escalated, pro-Gbagbo forces launched a fresh campaign against perceived Ouattara supporters, attacking mosques, executing imams, gang raping women, and forcibly disappearing members of his party.⁸³ The situation deteriorated further in mid-March, when pro-Ouattara forces launched an offensive in the western part of the country to oust Gbagbo.⁸⁴ As militia groups and mercenaries loyal to Gbagbo retreated, they committed massacres and burned and looted villages, taking a “final opportunity to commit atrocities against alleged Ouattara supporters,” according to Human Rights Watch.⁸⁵

⁷⁷ Voice of America, “AU to Name Heads of State Panel to Settle Ivory Coast Leadership Dispute,” January 28, 2011, <https://www.voanews.com/a/au-to-name-heads-of-state-panel-to-settle-ivory-coast-leadership-dispute-114854579/134197.html>.

⁷⁸ Security Council Report, “Côte d’Ivoire, March 2011: Monthly Forecast,” 11.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ ICC, *Request for Authorization of an Investigation Pursuant to Article 15*, ICC-02/11-3, June 23, 2011, https://www.icc-cpi.int/sites/default/files/CourtRecords/CR2011_07959.PDF, 3; John Campbell, “Cote d’Ivoire: Gbagbo Forces Clash with the Forces Nouvelles,” *Council on Foreign Relations*, February 24, 2011, <https://www.cfr.org/blog/cote-divoire-gbagbo-forces-clash-forces-nouvelles>.

⁸² John Campbell, “Cote d’Ivoire.”

⁸³ Human Rights Watch, “*They Killed Them Like It Was Nothing.*”

⁸⁴ Ibid.

⁸⁵ Ibid.

The tide of international will turned when Gbagbo's security forces began shelling civilians in pro-Ouattara areas of Abidjan. On March 17, pro-Gbagbo forces fired mortars on a market in the Abobo suburb where UN peacekeepers were stationed, killing 25 civilians.⁸⁶ UNOCI issued a statement the same day stating that the act "could constitute a crime against humanity."⁸⁷ The next day, Ban Ki-moon publicly condemned the attack and urged the Security Council to take "further measures with regard to the Ivorian individuals who [were] instigating, orchestrating, and committing the violence."⁸⁸ In a turning point, ECOWAS adopted a resolution on March 24 following a two-day summit that "condemn[ed] the wanton violence of civilians," stressed its "[conviction] that current situation is a direct consequence of the refusal of the outgoing President, Mr. Laurent Gbagbo, to cede power to Mr. Alassane Ouattara," and recognized the crisis as a "regional humanitarian emergency."⁸⁹ On these grounds, ECOWAS requested the Council to strengthen UNOCI's mandate to both "enable[e] the Mission to use all necessary means to protect life and property and to facilitate the immediate transfer of power to Ouattara," and "adopt more stringent international targeted sanctions against Gbagbo and his associates."⁹⁰

The following day, on March 25, the Security Council held a meeting on the situation in Côte d'Ivoire, where members were briefed by Assistant Secretary-General for Peacekeeping Operations Atul Khare. Khare reported that "the security situation ha[d] further deteriorated," "with security forces loyal to Mr. Gbagbo using heavy weapons against civilians" in pro-

⁸⁶ BBC News, "'Deadly Shelling' in Abidjan."

⁸⁷ BBC News, "Ivory Coast Shelling a War Crime – UN," March 18, 2011, <https://www.bbc.co.uk/news/world-africa-12787015>.

⁸⁸ United Nations Secretary-General, *Statement Attributable to the Spokesperson for the Secretary-General on the Situation in Côte d'Ivoire*, March 18, 2011, <https://www.un.org/sg/en/content/sg/statement/2011-03-18/statement-attributable-the-spokesperson-for-the-secretary-general-the-situation-c%C3%B4te-divoire>.

⁸⁹ Economic Community of West African States (ECOWAS), A/SA.1/03/11, March 25, 2011, <https://reliefweb.int/report/cote-divoire/resolution-ares10311-authority-heads-state-and-government-ecowas-situation-cote>.

⁹⁰ Ibid.

Ouattara areas of Abidjan.⁹¹ He detailed “a few of the most egregious incidents of the use of excessive force against civilians,”⁹² including the use of machine guns against women demonstrators, the killing of children with grenades and mortars, and the Abobo market shelling. He further reported that UNOCI had documented “462 killings between mid-December and 23 March...at least 520 cases of arbitrary arrest and detention, some involving torture; and at least 72 cases of disappearances.”⁹³ Notably, Khare stressed that ECOWAS leaders had “made it clear that the deteriorating [situation] and the escalating violence [were] a direct consequence of the refusal of out-going President [Gbagbo] to cede power.”⁹⁴

This attribution of responsibility was echoed by Ambassador Bamba, who declared that “[c]ivilians living in Côte d’Ivoire are victims of Mr. Gbagbo’s reign of terror,”⁹⁵ which aimed to spark “an inter-ethnic conflict of incalculable consequences.”⁹⁶ “Ivorians are dying every day. Human rights violations are taking place daily,”⁹⁷ he stressed. Bamba asserted that over the past three months, “Mr. Gbagbo’s forces have committed massive violations of human rights and massacred more than 500 civilians with their hands tied,” noting the dire “toll of the atrocities”: “859 killed by gunfire; 1,886 injured, 542 of them seriously; 100 persons disappeared; and 876 arrests, with 45 persons still being held.”⁹⁸ Bamba expressed his delegation’s concern about the “unbridled escalation of violence” and condemned what he described as a “situation of ethnic cleansing or premeditated genocide.”⁹⁹

⁹¹ UNSC, S/PV.6506, March 25, 2011, <https://docs.un.org/S/PV.6506>, 2.

⁹² Ibid.

⁹³ Ibid., 3.

⁹⁴ Ibid., 4.

⁹⁵ Ibid., 6.

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid.

Bamba and Khare not only characterized the violence as an atrocity situation and attributed responsibility to Gbagbo's forces; they also emphasized that coercive measures were both necessary and supported by regional actors. In his concluding remarks, Khare reiterated ECOWAS's request for the Security Council to strengthen UNOCI's mandate and sanction Gbagbo and his associates.¹⁰⁰ Bamba reinforced this position, reminding the Council that "[the] obligation and responsibility to protect civilians in situations of imminent danger is at the heart of the concerns of the international public."¹⁰¹ "[Faced] with a situation that is further deteriorating on a daily basis" and the "danger of increased crimes against humanity," he called for the Council to "immediately adopt robust measures against former President Gbagbo and all those who support him."¹⁰²

Events on the ground soon confirmed Bamba's fears. As forces loyal to Ouattara pushed deeper into Abidjan, threatening Gbagbo's grip on power, several hundred people were massacred in the western town of Duékoué between March 28 and March 30.¹⁰³ Though the death toll remained unconfirmed until mid-April, early estimates ranged from more than 300 to as many as 1,000 people killed.¹⁰⁴ According to the International Committee of the Red Cross, more than 800 civilians died in "intercommunal violence"¹⁰⁵ in the town. The organization's country representative stated, "We are shocked by the brutality and scale of this act."¹⁰⁶ A spokesperson for UNOCI put the number at 330, while a representative for the Catholic charity Caritas said an agency team in the town on a routine mission had found "a lot of dead bodies,"

¹⁰⁰ Ibid., 2.

¹⁰¹ Ibid., 5.

¹⁰² Ibid., 6.

¹⁰³ Colum Lynch, "Ivory Coast Conflict Intensifies Amid Reports of a Massacre," *The Washington Post*, April 2, 2011, https://www.washingtonpost.com/world/ivory-coast-conflict-intensifies-amid-reports-of-a-massacre/2011/04/02/AFhRiIRC_story.html.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

estimating between 800 and 1,000 fatalities.¹⁰⁷ He added, “They were primarily killed by gunshot, though some of the wounds were made by machetes. I don’t think they were killed in crossfire.”¹⁰⁸

4.5 Resolution 1975: Sanctioning Gbagbo and Strengthening UNOCI’s POC Mandate

Two days after the onset of the Duékoué massacre, on March 30, the Security Council unanimously adopted Resolution 1975. The resolution expressed “grave concern about the recent escalation of violence in Côte d’Ivoire and the risk of relapse into civil war,” condemned “the serious abuses and violations of international law in Côte d’Ivoire,” and reaffirmed “the primary responsibility of each State to protect civilians” and of parties to armed conflicts “to take all feasible steps to ensure the protection of civilians.”¹⁰⁹ It also welcomed the Human Rights Council’s decision to dispatch a commission of inquiry to investigate the “allegations of serious abuses and violations of human rights.”¹¹⁰ Considering that “the attacks currently taking place in Côte d’Ivoire against the civilian population could amount to crimes against humanity,” stressing that “the perpetrators of such crimes must be held accountable under international law,” and noting that the “International Criminal Court may decide on its jurisdiction over the situation,” the Council determined that the situation in Côte d’Ivoire “continues to constitute a threat to international peace and security.”¹¹¹

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ UNSC, S/RES/1975, March 30, 2011, 1, [https://docs.un.org/S/RES/1975\(2011\)](https://docs.un.org/S/RES/1975(2011)).

¹¹⁰ Ibid.

¹¹¹ Ibid., 2.

“Acting under Chapter VII of the Charter of the United Nations,”¹¹² the operative clauses of Resolution 1975 imposed targeted sanctions against Gbagbo and his associates. Furthermore, the Council expanded and strengthened UNOCI’s mandate to protect civilians, stressing its full support for UNOCI, “while impartially implementing its mandate, to use all necessary means to carry out its mandate to protect civilians under imminent threat of physical violence, within its capabilities and its areas of deployment, including to prevent the use of heavy weapons against the civilian population.”¹¹³ The explicit reference to “heavy weapons” was unprecedented for a UN peacekeeping mission mandate, expanding the range of threats peacekeepers were authorized to respond to.¹¹⁴ More broadly, it marked a shift from “neutral” peacekeeping and the defensive use of force toward peace enforcement targeting one side’s forces and proactively protecting civilians.

Statements made after the vote suggest that R2P strongly influenced many states’ decision to support Resolution 1975. Nigeria, for instance, underscored the urgency of the situation, stating that “[t]he reports that we have received from numerous sources, including those from the Office of the Coordinator for Humanitarian Affairs, indicate that the unthinkable is taking place before our very eyes.”¹¹⁵ Peace in Côte d’Ivoire, its ambassador warned, “is quickly unravelling through patterns of killing, rape and the destruction of property,” as [a]ngry militias and young people are being indoctrinated, trained, armed and deployed to seek out and harm civilian targets, increasingly through the use of heavy weaponry and explosives.”¹¹⁶ Nigeria emphasized that the hardest hit “are the most vulnerable—women and children who have

¹¹² Ibid.

¹¹³ Ibid., 3. Emphasis added.

¹¹⁴ Charles T. Hunt, “Côte d’Ivoire,” in *The Oxford Handbook of the Responsibility to Protect*, ed. Alex J. Bellamy and Tim Dunne, Oxford Handbooks (2016; online edn, Oxford Academic, August 3, 2016), 700, <https://doi.org/10.1093/oxfordhb/9780198753841.013.37>.

¹¹⁵ UNSC, S/PV.6508, March 30, 2011, 2, <https://docs.un.org/S/PV.6508>.

¹¹⁶ Ibid.

committed no greater crime than trying to lead a normal life.”¹¹⁷ “Not only are civilians suffering from indiscriminate attacks,” it continued, but “there is mounting evidence that they are also being specifically targeted,” asserting that “[s]uch heinous acts violate international humanitarian law.”¹¹⁸ Nigeria stressed that “[t]he current situation is without a doubt a direct consequence of the refusal of Mr. Laurent Gbagbo to cede power to President Alassane Ouattara” and was a “collective global responsibility.”¹¹⁹ In Nigeria’s view, the UN, ECOWAS, and the AU had a “moral and legal obligation...[not to be] a party to this inexorable denigration,” and saw the “collective action that we have taken today...[as] a significant step toward protecting the defenceless civilians.”¹²⁰

Gabon likewise emphasized that the “heightened violence and attacks on the civilian population remain of great concern...in particular the use of heavy weaponry against civilians.”¹²¹ It stated that “[it] was largely with a view to protecting the civilian population that [Gabon] voted today in favor of [Resolution 1975],” having been “convinced that all the measures contained in the resolution...will help to better protect civilians and establish conditions conducive to improving the humanitarian situation.”¹²² Germany expressed “[deep] [concern] about reports of increased fighting and violence against civilians” and believed that by “adopting this resolution today, the Council has demonstrated that it is ready to act in the face of the deteriorating security situation on the ground.”¹²³ The resolution, Germany’s ambassador stated, “sends a strong and urgent signal to Laurent Gbagbo and his entourage that the time to step aside has come, in order to prevent further violence and to enable the start of a political

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid., 3.

¹²¹ Ibid., 5.

¹²² Ibid.

¹²³ Ibid.

process that should result in peace.”¹²⁴ Colombia was also “concerned about the ongoing violations of human rights...of the civilian population...which is why [it] reiterates the fundamental responsibility of Côte d’Ivoire to protect all people on its territory.”¹²⁵ It believed that “by adopting this resolution the Council is categorically reiterating its determination to hold responsible those...who incite hatred and violence,” and “therefore voted in its favour.”¹²⁶

These statements indicate that a majority of states cited the need to protect civilians from atrocity crimes as a justification for supporting Resolution 1975—whether due to a “genuine” sense of moral duty, an interest in complying with R2P, or a mix of normative and strategic motives. In this regard, it is important to clarify the conceptual relationship between R2P and the Protection of Civilians (POC) norm. While some states justified their support using the language of responsibility, most expressed a motivation to protect civilians without directly invoking R2P. While they share a normative foundation, R2P and POC are distinct norms.¹²⁷ POC is a core obligation of UN peacekeeping missions focused on protecting civilians from violence during armed conflict, whereas R2P specifically protects against atrocity crimes and applies in all contexts, not just in peace operations.¹²⁸ Given these differences and that only two Council members directly invoked R2P, one may question whether a POC mandate is evidence that R2P influenced their decisions. Furthermore, the resolution only references R2P in the preamble, meaning that the norm itself was not a basis for authorizing peacekeepers to undertake protective actions.

¹²⁴ Ibid.

¹²⁵ Ibid., 6.

¹²⁶ Ibid.

¹²⁷ Vesselin Popovski, “Siblings, But Not Twins: POC and R2P,” *United Nations University*, November 11, 2011, <https://unu.edu/publications/articles/siblings-but-not-twins-poc-and-r2p.html>.

¹²⁸ Global Centre for the Responsibility to Protect, *The Relationship Between the Responsibility to Protect and the Protection of Civilians in UN Peacekeeping*, April 1, 2018, <https://www.globalr2p.org/publications/the-relationship-between-the-responsibility-to-protect-and-the-protection-of-civilians-in-un-peacekeeping/>.

A brief analysis of the relationship between R2P and POC helps to clarify why R2P can be considered a motivating force behind Resolution 1975. First, granting peacekeeping missions robust POC mandates is one of the Security Council's primary tools to respond to atrocity crimes occurring during armed conflict.¹²⁹ POC actions such as physical protection can shield civilians from atrocity crimes, and when such crimes are under way, tactics used to protect civilians often overlap with those used in response to violence that does not meet that threshold. In the case of Côte d'Ivoire, the situation fell under the scope of both R2P and POC, suggesting that the two norms should interact and complement each other in influencing the Council's response.

This interplay is evident in the language of resolution itself: while R2P did not authorize peacekeepers to conduct specific actions per se, the reference to the norm's first pillar and the expression of concern about crimes against humanity in the preamble offer a clear justification for the actions authorized in the operative clauses.¹³⁰ In other words, the reference to atrocity crimes indicates that strengthening UNOCI's POC mandate was intended to help protect civilians from this specific type of threat. Thus, while few Council members directly invoked R2P, the reference to threat of atrocity crimes as justification for authorizing Chapter VII measures is clear evidence of the norm's influence.¹³¹

At the same time, R2P was not the sole motivation behind state action: many states also cited concerns that Côte d'Ivoire could deteriorate into a broader civil war with negative consequences for regional stability. Nigeria warned that "[t]he fact that the violence [was] beginning to take on ethnic and sectarian overtones [was] an indication of the risk of a relapse into the recent state of civil war in Côte d'Ivoire," the consequences of which would "imperil the

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Popovski, "POC and R2P."

West African subregion.”¹³² It noted that “this [was] already happening, as civilians [had] begun to seek refuge in Liberia, Ghana and other neighboring countries”: the “risk of conflict spillover [was] all too real.”¹³³ Similarly, South Africa warned that Côte d’Ivoire was “rapidly slipping into civil war,”¹³⁴ the United States was “deeply concerned [that]...Côte d’Ivoire [was] on the brink of a full-scale civil war,”¹³⁵ and Brazil stressed that “[m]ore than ever, preventing Côte d’Ivoire from relapsing into conflict should be the Council’s utmost priority.”¹³⁶

Many states, then, were motivated to support Resolution 1975 not only to protect civilians from atrocity crimes, but also to prevent a broader war that could destabilize the West African region. This observation does not undermine the role of R2P as a motivational force but rather complements it and supports the case for viewing intervention decisions as multi-causal. As discussed in Chapter 3, atrocity crimes frequently occur during armed conflicts, a category of events the Council recognizes as a distinct threat to international peace and security. When atrocity crimes occur in the context of armed conflict, states may be motivated to intervene for both normative and strategic reasons: protecting civilians *and* preventing a broader conflict with negative effects on regional security.

Yet, neither the escalation of violence against civilians nor the threat of a wider conflict “triggered” the authorization of Resolution 1975. Rather, the text of the resolution and statements by Security Council members suggest the catalyst that directly prompted the Council to intervene was ECOWAS’s request for intervention. The United Kingdom, for instance, emphasized that Resolution 1975 “respond[ed] to the calls made to the Security Council by

¹³² S/PV.6508, 2.

¹³³ Ibid.

¹³⁴ Ibid., 4.

¹³⁵ Ibid., 6.

¹³⁶ Ibid., 5.

[ECOWAS] in its communiqué of 25 March.”¹³⁷ While not all members referenced ECOWAS’s statement, Resolution 1975 itself “welcome[s] the political initiatives and not[es] the communiqué and the resolution on Côte d’Ivoire adopted by the Authority of Heads of State and Government of ECOWAS on 24 March 2011,”¹³⁸ which called for the Council to impose sanctions against Gbagbo and authorize “all necessary measures” to protect civilians. This suggests that ECOWAS’s position was crucial in building consensus that peaceful means were ineffective and that enforcement action—a course of action China had Russia had previously several months earlier—was both necessary and politically viable.

Still, the authorization of military intervention was not guaranteed. Two background conditions were present that arguably facilitated the decision to intervene: Gbagbo’s forces were militarily weak, and the international community had the capacity to rapidly disable them. While the exact size of Côte d’Ivoire’s army in 2011 is difficult to determine, Choi Young-jin then estimated it at around 55,000 troops and police—a relatively modest force.¹³⁹ Its military inventory had also long consisted of older or second-hand equipment, partly due to a UN arms embargo in place from 2004 to 2016 following its first civil war.¹⁴⁰

Crucially, the country’s armed forces had effectively split after December 2010: while the Forces de Défense et de Sécurité (FDS)—Côte d’Ivoire’s former national army—initially backed Gbagbo, many soldiers defected to join Ouattara’s newly formed Forces Républicaines de Côte d’Ivoire, which was estimated at around 10,000.¹⁴¹ On March 15, Choi reported that

¹³⁷ Ibid., 6.

¹³⁸ S/RES/1975, 1.

¹³⁹ David Smith, “Ivory Coast Rebels Surround Gbagbo Palace in Abidjan,” *The Guardian*, April 1, 2011, <https://www.theguardian.com/world/2011/apr/01/ivory-coast-rebels-gbagbo-abidjan>.

¹⁴⁰ Central Intelligence Agency, *The World Factbook – Military equipment inventories and acquisitions*, updated July 7, 2025, <https://www.cia.gov/the-world-factbook/field/military-equipment-inventories-and-acquisitions/>.

¹⁴¹ Human Rights Watch, “Côte d’Ivoire: Ouattara Should Act to Control Troops,” April 2, 2011, <https://www.hrw.org/news/2011/04/02/cote-divoire-ouattara-should-act-control-troops>.

morale among Gbagbo's troops was very low, with 50,000 soldiers and police having abandoned him and only 5,000 loyalist special forces remaining.¹⁴² This report suggests that Gbagbo's forces had been significantly weakened by March 2011, making an intervention to degrade their capacity to target civilians more feasible and likely to succeed.

Not only was Gbagbo militarily weak, but the international community had the capacity to rapidly intervene to halt his forces. Both UNOCI and the French peacekeeping mission Operation Licorne, together comprising almost 12,000 troops, had been stationed in Côte d'Ivoire since 2004, and benefited from far more advanced resources and training than the fragmented national army.¹⁴³ Crucially, the Council had deliberately reinforced UNOCI in January 2011 through Resolution 1967, meaning additional troops were pre-positioned to immediately respond. While Council members did not cite feasibility considerations in their statements, the prior authorization of military reinforcement to UNOCI indicates a purposeful effort to strengthen the mission's capacity to use force if it became necessary.

4.6 Conclusion

Resolution 1975 represents an archetypal case of "timely and decisive" collective action in response to atrocity crimes. The Security Council intervened swiftly and decisively to halt escalating violence against civilians, and by disabling the perpetrators, successfully prevented

¹⁴² United Nations Operation in Côte d'Ivoire (UNOCI), *Press Review for Tuesday, 15 March 2011*, March 15, 2011, <https://onuci.unmissions.org/press-review-tuesday-15-march-2011>; David Smith, "Ivory Coast Rebels Surround Gbagbo Palace in Abidjan," *The Guardian*, April 1, 2011, <https://www.theguardian.com/world/2011/apr/01/ivory-coast-rebels-gbagbo-abidjan>; "Ivory Coast's 'Invisible Commandos' Attack Renegade President's Strongholds," *The Christian Science Monitor*, March 15, 2011, <https://www.csmonitor.com/World/Africa/2011/0315/Ivory-Coast-s-Invisible-Commandos-attack-renegade-president-s-strongholds>.

¹⁴³ Security Council Report, "Côte d'Ivoire, September 2011 Monthly Forecast," August 31, 2011, https://www.securitycouncilreport.org/monthly-forecast/2011-09/lookup_c_glkwlemtisg_b_7717331.php;

the commission of further crimes. This chapter demonstrated that all three theorized trigger events occurred in succession, reflecting material, institutional, and political dynamics, respectively. First, large-scale violence against civilians escalated during armed conflict. Following the country's disputed presidential election in December 2010, state security forces launched a campaign of identity-based persecution against perceived supporters of Gbagbo's opponent, Alassane Ouattara. As force loyal to both candidates clashed, Côte d'Ivoire descended into an armed conflict marked by increasingly widespread, systematic violence against civilians along ethnic lines, resulting in an estimated 1,300 deaths by March 2011.

In response to the violence, senior UN officials repeatedly warned that atrocity crimes may be occurring. The Ivorian ambassador to the UN, the Special Advisers on Genocide Prevention and R2P, the Secretary-General, and eventually the UN peacekeeping mission in Côte d'Ivoire all described the violence as ongoing or potential atrocities, labeling the government's actions as "genocide" and "crimes against humanity." Just days after UNOCI characterized a mortar attack by pro-Gbagbo forces as a likely crime against humanity, ECOWAS formally requested the Security Council to sanction Gbagbo and strengthen UNOCI's POC mandate. A week later, the Council fulfilled this request through Resolution 1975, sanctioning Ivorian authorities and authorizing UNOCI and French forces to use "all necessary means" to protect civilians.

Crucially, the underlying necessary conditions were present in Côte d'Ivoire, enabling these events to advance the decision-making process toward intervention. No P5 state aligned with Gbagbo or had strategic interests in shielding the regime, leaving him without powerful defenders in the Security Council. Partly as a result, the situation was recognized, both implicitly and explicitly, as a threat to international peace and security without contestation. Initially,

Gbagbo's refusal to concede power and the targeting of pro-Ouattara supporters were recognized as a threat to the peace. Over time, however, the gravity and scale of violence against civilians became the central concern, culminating in Resolution 1975, which determined the existence of such a threat based on crimes against humanity occurring. Finally, after months of mediation efforts, ECOWAS's request for international intervention led to a consensus that peaceful means were inadequate to resolve the crisis, with no member opposing the consideration of enforcement measures.

Furthermore, the presence of key enabling factors made conditions "ripe" for intervention. Most notably, R2P—including its pillar 3b norm—was experiencing a phase of norm clarification, and strongly influenced the Council's response. The language of responsibility was central to the framing of Côte d'Ivoire's crisis, with many Security Council members citing the need to protect civilians from atrocity crimes as a primary reason for adopting Resolution 1975. Ban Ki-moon, who helped drive the international response, also directly urged the Council to adopt forceful measures, increasing the pressure on members to act decisively. Furthermore, Gbagbo's already limited forces were significantly weakened by March, while the capacity to quickly and effectively disable them was in place, with UN and French peacekeepers already stationed in the country.

The case of Côte d'Ivoire illustrates the complex interaction between normative and strategic motivations in influencing state decision-making. Debates over whether intervention decisions are best explained by normative beliefs or strategic interests fail to capture the inherent interplay between these motivational forces in the application of R2P—or any international norm—in specific contexts. This interplay is, in fact, built into the norm's design. As Ramesh Thakur, one of R2P's principal architects, notes: "given that the Security Council [is a] political

body...[we] accepted that what action the Security Council takes will depend upon the judgment of individual interests...The presence of R2P doesn't guarantee there will be intervention...But when the facts and circumstances warrant it, the international community can come together...collectively and with a consensus"¹⁴⁴—as it did in Côte d'Ivoire.

At the same time, the analysis shows that the Security Council's decision to intervene was not "random." In other words, the authorization of Resolution 1975 was not a one-off decision driven by a single, overriding "cause." Instead, it followed a follow specific—albeit complex and contextually bounded—causal process. The question, now, is whether the same process that produced collective action in Côte d'Ivoire also led to intervention in other atrocity situations. To answer this, the next chapter turns to the case of Security Council intervention in Libya in 2011, the most influential case of an "R2P" intervention since the norm's adoption.

¹⁴⁴ Ramesh Thakur, personal communication, February 2022.

Chapter 5

Libya

“What we are doing is necessary, it is legal, and it is right. It is necessary because, with others, we should be trying to prevent him using his military against his own people. It is legal, because we have the backing of the United Nations Security Council and also of the Arab League and many others. And it is right because we believe we should not stand aside while this dictator murders his own people.”

– David Cameron, 2011

As Côte d’Ivoire’s post-election crisis unfolded in 2011, the Security Council authorized collective security measures in response to atrocity crimes occurring in Libya—two weeks, in fact, before the adoption of Resolution 1975. Like Côte d’Ivoire, the international intervention in Libya is widely considered a paradigmatic case of “timely and decisive” collective action, if not *the* paradigmatic case. The Council authorized enforcement action in an unprecedentedly swift and decisive manner in response to escalating violence against civilians by state security forces, and ultimately a massacre believed to be imminent in Benghazi.

This chapter analyzes why the Security Council decided to authorize intervention in Libya, arguing that the same set of conditions that led to intervention in Côte d’Ivoire also produced collective action in this case. It shows that each necessary trigger event occurred in succession: in February, the Libyan government violently suppressed civilians protesting the rule of Muammar Qaddafi, with 1,000 people believed to have been killed within a week. Protestors took up arms almost immediately, plunging Libya into armed conflict. As the violence unfolded, senior United Nations (UN) officials sounded the alarm about mass atrocities, warning that the violence likely met the threshold of international crimes. In mid-March, as Qaddafi’s forces

approached the rebel stronghold of Benghazi and threatened mass killings, the League of Arab States (LAS) formally requested international intervention to protect civilians, while other regional bodies endorsed the proposal.

Crucially, all three underlying conditions necessary for intervention were present in the case of Libya. As in Côte d'Ivoire, no P5 state was allied with Qaddafi or had strategic or security interests in shielding the regime. A combination of factors—including Qaddafi's diplomatic isolation, the scale and gravity of the violence, and early reports of mass killings by international media—led the Council to immediately recognize the situation as an international peace and security threat. Following back-to-back requests from regional organizations, consensus solidified that diplomacy had proven ineffective and international intervention was both necessary and politically viable. These background conditions enabled each trigger event to catalyze the Council toward authorizing intervention measures.

Finally, the enabling factors aligned to build momentum toward intervention. The Responsibility to Protect (R2P) was repeatedly invoked by senior UN officials to galvanize action, with the majority of member states citing the need to protect civilians from mass atrocities as a primary justification for action. Then-UN Secretary-General Ban-Ki Moon made urgent appeals for decisive action, while Libya's UN ambassador explicitly invoked the Council's responsibility to protect, creating pressure on the Security Council to act decisively in March. Significantly, the relative weakness of Qaddafi's forces compared to would-be NATO interveners made intervention militarily feasible. Unlike in Côte d'Ivoire, there was no UN or bilateral peacekeeping force stationed in Libya. However, NATO members—particularly the P3—had forward-deployed forces and military assets in the Mediterranean, enabling swift action following Resolution 1973's adoption.

Table 5.1 Conditions for UNSC Action in Libya

Causal Role	Causal Directness	Condition	Value
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	Present
		UN atrocity characterization	Present
		Regional request for intervention	Present
	<i>Underlying</i>	Absence of P5 alignment	Present
		Recognition as IPS threat under Art. 39	Present
		Consensus on failure of non-coercive means	Present
Enabling	<i>Proximate</i>	Secretary-General request for intervention	Present
	<i>Underlying</i>	R2P salience	Strong
		Perpetrator military strength	Weak
		Rapid response capabilities	Strong

5.1 The 2011 Libyan Crisis

On February 15, 2011, Libyan civilians took to the streets to protest the brutal four-decade rule of Muammar Qaddafi.¹ The protests were inspired by the unfolding Arab Spring, a wave of anti-government uprisings across the Middle East and North Africa against entrenched authoritarian regimes, sparked by the self-immolation of a Tunisian fruit vendor in December 2010. In Libya, demonstrations first erupted in the eastern city of Benghazi—long a center of opposition to Tripoli’s rule—and quickly spread across the country. Qaddafi responded with extreme violence, deploying ground troops, the air force, and foreign mercenaries to suppress the protesters.² On February 22, just a week after demonstrations began, Qaddafi delivered a speech

¹ BBC News, “Libya Protests: Second City Benghazi Hit by Violence,” February 16, 2011, <https://www.bbc.co.uk/news/world-africa-1247275>. Jared Genser provides a useful timeline of events in: See: Jared Genser, “The United Nations Security Council’s Implementation of the Responsibility to Protect: A Review of Past Interventions and Recommendations for Improvement,” *Chicago Journal of International Law* 18, no. 2 (2018): 440, <https://chicagounbound.uchicago.edu/cjil/vol18/iss2/2/>.

² Philippe Kirsch and Mohamed Helal, “Libya,” in *The United Nations Security Council in the Age of Human Rights*, ed. Jared Genser and Bruno Stagno Ugarte (Cambridge: Cambridge University Press, 2014), 396.

vowing to cleanse Libya “house by house” and ordered the air force to bomb Benghazi and other cities in Libya experiencing unrest.³

On the same day, the League of Arab States—a longstanding regional organization comprising 22 states across the Middle East and North Africa—held an emergency meeting and suspended Libya’s membership.⁴ The Security Council immediately issued a press statement welcoming the League’s decision, condemning the violence against civilians, and calling on the Libyan government “to meet its responsibility to protect its population.”⁵ Qaddafi, however, remained defiant. On February 25, then–Secretary-General Ban Ki-Moon briefed the Security Council on the situation in Libya, highlighting reports of the mass shooting of peaceful protestors.⁶ The same day, the Human Rights Council adopted a resolution urging Libya to “meet its responsibility to protect its population,” warning that the government’s actions “potentially amounted to crimes against humanity.”⁷

The following day, the Security Council unanimously adopted Resolution 1970. The resolution condemned the violence against civilians, stated that the attacks “may amount to crimes against humanity,”⁸ and acting under Chapter VII of the UN Charter, imposed various sanctions on Qaddafi and his associates. It also referred the situation to the International Criminal Court (ICC) and expressed its willingness to adopt stronger measures if the government failed to comply.

³ BBC News, “Libya Protests: Defiant Gaddafi Refuses to Quit,” February 22, 2011, <https://www.bbc.co.uk/news/world-middle-east-12544624>.

⁴ Reuters, “Arab League Suspends Libya Delegation – TV,” February 22, 2011, <https://www.reuters.com/article/libya-protests-league-idUSLDE71L2GK20110222>; https://www.eeas.europa.eu/eeas/league-arab-states-las-and-eu_en

⁵ United Nations Security Council (UNSC), SC/10180-AFR/2120, February 22, 2011, <https://press.un.org/en/2011/sc10180.doc.htm>.

⁶ SC/10185.

⁷ United Nations Human Rights Council, A/HRC/S-15/1, February 25, 2011, <https://docs.un.org/A/HRC/S-15/1>.

⁸ UNSC, S/RES/1970, February 26, 2011, <https://docs.un.org/S/RES/1970>, 1.

Meanwhile, Libya had plunged into a full-scale armed conflict, after protesters formed militias to combat Qaddafi's forces and advanced on multiple fronts.⁹ However, Qaddafi's forces quickly launched an offensive and pushed the rebels back.¹⁰ While there was initially little international appetite for military intervention, and the rebels themselves opposed any external involvement, a massacre believed to be imminent in Benghazi "changed many minds."¹¹ In early March, the Gulf Cooperation Council, the Organisation of Islamic Cooperation, and the LAS formally called for the Security Council to enforce a no-fly zone over Libya.

On March 17, the Security Council adopted Resolution 1973. Recalling the terms of Resolution 1970, the resolution reiterated the Libyan authorities' responsibility to protect and expressed the Council's determination to protect civilians and civilian populated areas.¹² Determining that the situation continued to pose an international peace and security threat, and acting under Chapter VII, the resolution established a no-fly zone to protect civilians and authorized UN member states who had notified the Secretary-General to take "all necessary measures"¹³ to protect civilians under threat of attack.

A US-led coalition swiftly began preparing for military intervention.¹⁴ From March 19 to 31, the United States led the initial phase, known as Operation Odyssey Dawn, conducting airstrikes that severely weakened Qaddafi's troops as they approached Benghazi. On March 23, allied forces announced that they had gained control of Libyan airspace after disabling the country's air forces, enabling the North Atlantic Treaty Organization (NATO) to enforce a no-fly

⁹ Kirsch and Helal, "Libya," 396.

¹⁰ Ibid.

¹¹ Genser, "Implementation of the Responsibility to Protect," 442.

¹² UNSC, S/RES/1973, March 17, 2011, [https://docs.un.org/S/RES/1973\(2011\)](https://docs.un.org/S/RES/1973(2011)), 1.

¹³ Ibid., 3.

¹⁴ Elisabeth Bumiller and David Kirkpatrick, "NATO Agrees to Take Command of No-Fly Zone in Libya," *New York Times*, March 24, 2011, <https://www.nytimes.com/2011/03/25/world/africa/25libya.html>.

zone over Libya.¹⁵ On March 31, NATO assumed control of military operations and began conducting strikes on Libyan military assets.¹⁶ Over the following months, NATO intensified its bombing of Qaddafi's forces, leading a growing number of his supporters to defect. In August 2011, with NATO air support, Libyan rebel forces launched an offensive on Tripoli and successfully seized the city.¹⁷ On August 23, the rebels stormed Qaddafi's headquarters in Bab al-Aziziya, bringing an end to his 42-year rule.¹⁸ Two months later, Qaddafi was captured by rebel forces and extrajudicially killed.¹⁹

NATO notoriously faced strong backlash over its intervention in Libya, including accusations of exceeding the scope of the original mandate under Resolution 1973 by facilitating regime change. These controversies notwithstanding, there is no doubt that the Security Council responded to atrocity crimes in Libya in a remarkably timely, decisive, and robust manner—unlike any instance of collective action before or since. The question, as with Côte d'Ivoire, is why and how the decision to intervene came about. The following sections closely analyze the patterns of escalating violence in Libya and the international and regional responses from February to March 2011. I show that, as in Côte d'Ivoire, the theorized trigger events occurred in

¹⁵ International Committee of the Red Cross, "Libya, NATO Intervention 2011," in *How Does Law Protect in War? Online*, International Committee of the Red Cross (ICRC) Case Book, <http://casebook.icrc.org/case-study/libya-nato-intervention-2011>; *Operation Odyssey Dawn (Libya): Background and Issues for Congress*, Congressional Research Service Report (R41725), March 30, 2011, EveryCRSReport.com (University of North Texas Libraries Government Documents Department), <https://www.everycrsreport.com/reports/R41725.html>.

¹⁶ Charles McGreal, "Libya Air Strikes Rain Down," *The Guardian*, March 20, 2011, <https://www.theguardian.com/world/2011/mar/20/libya-air-strikes-rain-down>; North Atlantic Treaty Organization, "League of Arab States (LAS) and the EU," last updated October 21, 2024, https://www.nato.int/cps/en/natohq/topics_71652.htm.

¹⁷ Kirsch and Helal, "Libya," 406.

¹⁸ Peter Graff and Ulf Laessing, "Gaddafi Flees Tripoli HQ Ransacked by Rebels," *Reuters*, August 24, 2011, <https://www.reuters.com/article/world/gaddafi-flees-tripoli-hq-ransacked-by-rebels-idUSJOE77N00F>.

¹⁹ Kareem Fahim, Rick Gladstone, and Anthony Shadid, "Qaddafi Is Killed as Libyan Forces Take Surt," *The New York Times*, October 20, 2011, <https://www.nytimes.com/2011/10/21/world/africa/qaddafi-is-killed-as-libyan-forces-take-surt.html>.

succession, supported by the required underlying conditions, with each enabling factor helping to accelerate the decision-making process and shift states in support of intervention.

5.2 The Escalation of Large-Scale Violence Against Civilians During Armed Conflict and UN Atrocity Warnings

On February 22, 2011, the Security Council was briefed on the situation in Libya during a closed-door meeting by Under-Secretary-General for Political Affairs B. Lynn Pascoe, one week after protests had erupted in Benghazi. The meeting was requested by Libya's deputy ambassador to the UN, Ibrahim Dabbashi, who had publicly broken with the Qaddafi regime the day before.²⁰ During the meeting, Dabbashi reported the use of foreign mercenaries to suppress protesters, characterizing the regime's actions as potentially "genocidal."²¹ On this basis, he urged the Council to place Libya on its agenda, establish a no-fly zone, and refer the situation to the ICC to investigate alleged war crimes.²² That same day, media outlets reported that Libyan diplomats posted in Australia, Bangladesh, France, India, the United States, the UN in New York and Geneva, and the Arab League had similarly broken with the regime.²³

Of all the ways atrocity situations can unfold, Libya was unique in both the speed and severity of the violence against civilians, as well as in the rapid circulation of information to global audiences. Between February 16 and 22—just days after protests began—international media and human rights organizations widely reported hundreds of civilian deaths, as state

²⁰ Security Council Report, *Update Report: Libya*, February 25, 2011, https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%2025%20February%202011_Libya.pdf, 2.

²¹ Ibid.

²² Ibid.

²³ Ibid.

security forces deployed lethal force against protestors.²⁴ Remarkably, such reports emerged despite the regime imposing an internet blackout and barring foreign journalists from entering the country.²⁵ The dissemination of information was made possible largely through social media and the ability of Libya's main mobile phone providers, through a mix of "luck and ingenuity,"²⁶ to stay online.²⁷ Libyan civilians uploaded cellphone videos to Facebook, tweeted on foreign-based X (formerly Twitter) accounts, and phoned *Al Jazeera* and other Arab satellite channels.²⁸ Meanwhile, foreign diplomats still stationed in Libya were able to relay information to their home governments and international media outlets.²⁹

At the same time, the Qaddafi regime made no attempt to conceal its actions. On the contrary, it openly broadcasted its intent to kill its citizens en masse. On February 21, Qaddafi's son, Saif al-Islam, warned that there "will be thousands of deaths, and rivers of blood will run through Libya" if protestors rejected the government's reform proposals.³⁰ The following day, Qaddafi himself delivered a televised speech—described by *The Guardian* as "a blood, guts and gore B-movie shocker, painfully overacted and unforgivably under-edited"³¹—in which he urged

²⁴ BBC News, "Libya Protests: Second City Benghazi Hit by Violence," February 16, 2011, <https://www.bbc.com/news/world-africa-12477275>; Al Jazeera, "Deadly 'Day of Rage' in Libya," February 18, 2011, <https://www.aljazeera.com/news/2011/2/18/deadly-day-of-rage-in-libya>; Ian Black and Owen Bowcott, "Libya Protests: Massacres Reported as Gaddafi Imposes News Blackout," *The Guardian*, February 18, 2011, <https://www.theguardian.com/world/2011/feb/18/libya-protests-massacres-reported>; The Guardian, "Libya Protests: More Than 100 Killed as Army Fires on Unarmed Demonstrators," February 20, 2011, <https://www.theguardian.com/world/2011/feb/20/libya-protests-benghazi-muammar-gaddafi>; Kareem Fahim, "Libyan Authorities Reportedly Kill Dozens in Protests," *The New York Times*, February 21, 2011, <https://www.nytimes.com/2011/02/22/world/africa/22libya.html>.

²⁵ Black and Bowcott, "Libya Protests."

²⁶ TIME, "Blood Flows as Libya's Gaddafi Cracks Down on Protest," February 17, 2011, <https://time.com/archive/6953547/blood-flows-as-libyas-gaddafi-cracks-down-on-protest/>.

²⁷ Ibid.; Evan Hill, "How 'Rebel' Phone Network Evaded Shutdown," *Al Jazeera*, April 23, 2011, <https://www.aljazeera.com/features/2011/4/23/how-rebel-phone-network-evaded-shutdown>.

²⁸ Ibid.

²⁹ Black and Bowcott, "Libya Protests."

³⁰ BBC News, "Defiant Gaddafi Refuses to Quit"; Al Arabiya, "Gaddafi's Son Warns of 'Rivers of Blood' in Libya," February 21, 2011, <https://www.alarabiya.net/articles/2011/02/21/138515>.

³¹ Jon Henley, "Gaddafi's Wild Words Show He Hasn't Learned Anything," *The Guardian*, February 22, 2011, <https://www.theguardian.com/world/2011/feb/22/gaddafi-speech-television-wild-words>.

the cleansing of Libya “inch by inch, house by house... person by person.” Qaddafi blamed the unrest on al-Qaeda leader Osama bin Laden and on milk and Nescafe spiked with hallucinogenic drugs, stating the country was threatened by “rats and cats... traitors and cowards” and urging his supporters to “attack them in their dens.”³² Using language that evoked the Rwandan genocide, he warned that “officers [had] been deployed in all tribes and regions so that they can purify all decisions from these cockroaches.”³³

In response to the government’s inflammatory rhetoric and escalating violence, senior UN officials immediately sounded the alarm about the risk of atrocity crimes. On February 22, then–High Commissioner for Human Rights Navi Pillay warned that the “[w]idespread and systematic attacks against the civilian population [in Libya] may constitute crimes against humanity.”³⁴ She condemned the regime’s actions, stating, “[t]he callousness with which Libyan authorities and their hired guns are reportedly shooting live rounds of ammunition at peaceful protestors is unconscionable,” and urged the authorities to “immediately cease such illegal acts of violence.”³⁵ The same day, the Special Advisers on the Prevention of Genocide and the Responsibility to Protect (R2P), Francis Deng and Edward Luck respectively, issued a joint statement characterizing the violence as possible crimes. “We are alarmed by the reports of mass violence coming from the Socialist People’s Libyan Arab Jamahiriya,” they wrote.³⁶ The

³² Ibid.; Reuters, “Gaddafi says protesters are on hallucinogenic drugs,” February 24, 2011, <https://www.reuters.com/article/world/us/gaddafi-says-protesters-are-on-hallucinogenic-drugs-idUSTRE71N4NI/>.

³³ Ibid.

³⁴ United Nations (UN) News, “Libya: Security Council, UN Officials Urge End to Use of Force Against Protestors,” February 22, 2011, <https://news.un.org/en/story/2011/02/367182-libya-security-council-un-officials-urge-end-use-force-against-protesters>.

³⁵ Ibid.

³⁶ United Nations (UN) Press, *Statement by the UN Secretary General Special Adviser on the Prevention of Genocide, Francis Deng, and the Special Adviser on the Responsibility to Protect, Edward Luck, on the Situation in Libya*, February 22, 2011, <https://www.un.org/en/genocideprevention/documents/media/statements/2011/English/2011-02-22-OSAPG,%20Special%20Advisers%20Statement%20on%20Libya,%2022%20February%202011.pdf>.

Advisers warned that “[w]idespread and systematic attacks against civilian populations by military forces, mercenaries, and aircraft are egregious violations of international human rights and humanitarian law,” adding, “if the reported nature and scale of such attacks are confirmed, they may well constitute crimes against humanity.”³⁷

Not only UN officials but also regional bodies condemned the violence and characterized the government’s actions as in breach of international law. In an unprecedented move, the LAS, which was historically staunchly committed to the state sovereignty norm, held an emergency meeting on February 22, condemning the use of force against civilians and suspending Libya until it halted all violence.³⁸ That same day, Libya’s ambassador to the League resigned, stating that it was “dishonorable to serve a regime which kills its people and annihilates them in this inhumane manner.”³⁹ The following day, the African Union (AU) issued a statement condemning the “indiscriminate and excessive use of force and lethal weapons against peaceful protesters, in violation of human rights and international humanitarian law.”⁴⁰ In an apparent nod to Qaddafi’s rhetoric, the AU urged the government, in particular, to “desist from making statements that could escalate the situation.”⁴¹

Each of these developments—Qaddafi’s speech, the statements by Pillay and the Special Advisers, and Libya’s suspension from the LAS—took place within a day, while the Security Council convened in New York. Notably, 75 UN member states attended the closed-door meeting, indicating broad interest in the unfolding crisis.⁴² Following Pascoe’s briefing that day,

³⁷ Ibid.

³⁸ Kirsch and Helal, “Libya,” 399.

³⁹ Jack Shenker, “Arab League Urged to Condemn Gaddafi by Angry Protesters in Egypt,” *The Guardian*, February 23, 2011, <https://www.theguardian.com/world/2011/feb/23/protesters-demand-arab-league-condemn-gaddafi>.

⁴⁰ African Union Peace and Security Council, PSC/PR/COMM(CCLXI), February 23, 2011, <https://www.peaceau.org/uploads/psc-communique-on-the-situation-in-libya.pdf>.

⁴¹ Ibid.

⁴² Security Council Report, “Update Report No. 3: Libya,” February 25, 2011, https://www.securitycouncilreport.org/update-report/lookup_c_glkwlemtisg_b_6586331.php.

the Council issued a press statement “condemn[ing] the violence and use of force against civilians, deplor[ing] the repression against peaceful demonstrators, and express[ing] deep regret at the deaths of hundreds of civilians.”⁴³ It also “welcomed the statement issued by the League of Arab States”⁴⁴ and “called on the Government of Libya to meet its responsibility to protect its population,”⁴⁵ language indicating that members accepted R2P as applicable to the situation and were closely following the regional response. Shortly afterward, the United Kingdom began drafting a sanctions resolution.

At this stage, according to *Security Council Report*, a “significant majority” of Security Council members had “reacted positively to the idea of imposing legal measures on the Libyan regime to deter further violence against civilians.”⁴⁶ The measures proposed included not only “targeted sanctions such as an assets freeze, travel bans and arms embargos,” but “even stronger measures such as a no-fly zone, ICC references and language on the responsibility to protect.”⁴⁷ Given the refugee flows and consistent media reports of heavy weapons and foreign mercenaries, “it seeme[d] that most if not all Council members [were] satisfied that the Libyan situation [could] now be clearly categorized as a threat to international peace and security.”⁴⁸ However, Russia and China were “concerned about the need for verifiable information” before any further action was taken, and requested a briefing from Ban Ki-moon accordingly.⁴⁹

A second issue raised as the United Kingdom penned a resolution was the type of sanctions that would meaningfully impact the regime’s conduct.⁵⁰ While targeted sanctions such

⁴³ SC/10180-AFR/2120.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Security Council Report, “Update Report No. 3: Libya.”

⁴⁷ Ibid.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Ibid.

as travel bans and asset freezes were expected to be slow in effecting change, some states remained concerned that broader sanctions, including banning oil exports, could negatively impact civilians and garnered little support.⁵¹ Finally, a third point of discussion was whether the Security Council could actually threaten more robust measures.⁵² While Dabbashi had called for a no-fly zone, Council members were aware that “such an option would need to be backed up by air assets and it [was] unclear if any country or NATO [was] willing to take this step.”⁵³

In sum, although the Security Council was briefed on escalating violence against civilians in Libya just a week after protests began, and both the High Commissioner for Human Rights and the Special Advisers on Genocide Prevention and R2P raised concerns that the violence could constitute atrocity crimes, cautious members—namely China and Russia—questioned the credibility of circulating reports and were hesitant to recognize Libya as an international peace and security threat. Moreover, while the United Kingdom pushed for sanctions and Libya’s own deputy ambassador to the UN had proposed a no-fly zone, there was neither consensus that sanctions were appropriate nor assurance that the capacity to control Libya’s airspace existed. As a result, the decision-making process stalled pending a briefing from the Secretary-General to confirm the nature of the violence unfolding.

5.3 Resolution 1970: The Secretary-General’s Appeal for Action and the Imposition of Sanctions on Qaddafi

Three days later, on February 25, the Security Council held an open meeting on Libya under the regular agenda item “Peace and Security in Africa.” During the meeting, Ban Ki-Moon

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

briefed members on the situation, pursuant to China's and Russia's request for "credible" information. In his opening remarks, Ban stressed the implications of the crisis for international peace and security, stating, "We meet at a critical moment—potentially a defining moment—for the Arab world. Fundamental issues of peace and stability are at stake, most immediately at this moment in Libya."⁵⁴ He noted that since Pascoe had briefed the Council on February 22, "there have been continuing reports of violence and the indiscriminate use of force," with estimates that "more than 1,000 people have been killed."⁵⁵ Directly blaming the government, he warned that "[p]eople cannot leave their houses for fear of being shot by Government forces or militias," who were "reportedly conducting house-by-house searches and arrests," and had "even gone into hospitals to kill wounded opponents."⁵⁶ Ban stressed that Qaddafi "continued to threaten citizens with a civil war and the possibility of mass killing if the protests continue," urging members to be frank: "these accounts from the press, human rights groups and civilians on the ground," he asserted, "raise grave concerns about the nature and scale of the conflict."⁵⁷ There was "no conclusive proof, but the reports appear to be credible and consistent."⁵⁸

Ban Ki-moon not only characterized the violence as potential atrocity crimes but also invoked the international community's responsibility to protect civilians, even absent "conclusive proof" that crimes were occurring. He highlighted an earlier statement by Navi Pillay that "when a State manifestly fails to protect its population from serious international crimes, the international community has the responsibility to step in and take protective action in a collective, timely, and decisive manner."⁵⁹ He also cited the statement by his Special Advisers,

⁵⁴ UNSC, S/PV.6490, February 25, 2011, <https://docs.un.org/S/PV.6490>, 2.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

⁵⁹ Ibid., 3.

which “reminded the national authorities in Libya...that the heads of State and Government at the 2005 World Summit pledged to protect populations by preventing genocide, war crimes, ethnic cleansing, and crimes against humanity.”⁶⁰ “The challenge for us now,” Ban stressed, “is how to provide real protection and do all we can to halt to the ongoing violence.”⁶¹

Ban Ki-moon concluded his briefing by arguing that it was “time for the Security Council to consider concrete action.”⁶² “The hours and days ahead will be decisive for Libyans and their country, with equally important implications for the wider region,”⁶³ he warned. Ban noted that “many international leaders, among them the League of Arab States...and the African Union,” had “called for an immediate end to the violence,” stressing that “the statements and actions of the Security Council are eagerly awaited and will be closely followed throughout the region.”⁶⁴ Whatever course of action it chose, he urged the Council to be “mindful of the urgency of the moment,” and that “[in] these circumstances the loss of time means more loss of lives.”⁶⁵

Ban Ki-moon’s remarks, taken together, clearly framed Libya as an atrocity situation and called on the Security Council to act, though he stopped short of advocating the use of force. Ban affirmed that the nature and causes of the violence were unambiguous: evidence overwhelmingly indicated that Qaddafi’s regime was perpetrating violence against its own citizens that likely met the threshold of atrocity crimes. This framing was echoed by Libya’s ambassador to the UN, Abdel Shalgham, who likened the situation Libya to notorious historical genocides:

Pol Pot, head of the Khmer Rouge in Cambodia, was asked why he executed one third of his people. He said he did it because of the people. Before invading the Soviet Union...Rommel told [Hitler], “Operation Barbarossa will cost us 2 million lives”. Hitler

⁶⁰ Ibid.

⁶¹ Ibid.

⁶² Ibid., 4.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

responded, “What does it matter if 2 million Germans die in service to the glory of the Führer?”⁶⁶

According to Shalgham, the situation in Libya was dangerously similar: “Muammar Al-Qadhafi and his sons are telling Libyans: ‘Either I rule you or I kill you.’...He told [a crowd], ‘I will burn Libya; I will distribute arms to the tribes. Libya will run red with blood’.”⁶⁷ Shalgham concluded with an emotional appeal for action: “Please, United Nations, save Libya. No to bloodshed. No to the killing of innocents. We want a swift, decisive and courageous resolution.”⁶⁸

The following day, on February 26, the Security Council unanimously adopted Resolution 1970. The resolution “[deplored] the gross and systematic violation of human rights [in Libya], including the repression of peaceful demonstrators,” and “reject[ed] unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Libyan government.”⁶⁹ It also “[welcomed] the condemnation by the Arab League, the African Union, and the Secretary General of the Organization of the Islamic Conference of the serious violations human rights”⁷⁰ as well as the Human Rights Council’s decision to “urgently dispatch an independent international commission of inquiry to investigate all alleged violations of international human rights law.”⁷¹ “Considering that the widespread and systematic attacks currently taking place...against the civilian population may amount to crimes against humanity”⁷² and “[r]ecalling the Libyan authorities’ responsibility to protect its population,”⁷³ the Council, “[m]indful of its primary responsibility for the maintenance of international peace

⁶⁶ Ibid.

⁶⁷ Ibid., 5.

⁶⁸ Ibid.

⁶⁹ S/RES/1970, 1.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid., 2.

and security,”⁷⁴ and “[a]cting under Chapter VII of the Charter of the United Nations,”⁷⁵ referred the situation to the ICC. It also imposed an arms embargo on Libya as well as travel bans and asset freezes against Qaddafi and his associates.

Statements made after the vote indicate that nearly every Security Council member cited the need to protect civilians from atrocity crimes as a primary justification for supporting Resolution 1970. The United Kingdom stated that “[t]he violence we have seen and the incitement to further violence by Colonel Al-Qadhafi are totally unacceptable,”⁷⁶ while India “deplore[d] the use of force, which [was] totally unacceptable.”⁷⁷ Brazil was “deeply disturbed by the dramatic situation in Libya,” also describing “the level of violence against the civilian population” as “totally unacceptable.”⁷⁸ South Africa was concerned about “the deteriorating situation in Libya...which has resulted in untold atrocities,”⁷⁹ along with Nigeria, which “remain[d] deeply concerned about the escalating violence, the inflammatory rhetoric and the deplorable loss of life.”⁸⁰ The United States declared, “[w]hen atrocities are committed against innocents, the international community must speak with one voice and today, it has.”⁸¹ Even Russia “condemn[ed] the use of military force against peaceful demonstrators,” calling it “absolutely unacceptable,”⁸² while China considered it of the “greatest urgency” to ensure “the immediate cessation of violence...[and] avoid further bloodshed and civilian casualties.”⁸³

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ S/PV.6491, 2.

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Ibid., 3.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² Ibid., 4.

⁸³ Ibid.

Even more than in Côte d’Ivoire, states directly invoked R2P—both Libya’s failure to uphold its responsibilities and the international community’s duty to act—as a justification for intervention. Colombia stressed that “the [Libyan authorities] must assume [their] primary responsibility to guarantee the security and rights of its citizens,”⁸⁴ while the United States stressed that “when a leader’s only means of staying in power is to use mass violence against its own people, he has lost the legitimacy to rule,” calling for Libyan authorities to be held accountable for “failing to meet their most basic responsibilities to their people.”⁸⁵ France likewise stated that “crimes against humanity may be being committed in Libya...which was why [it] decided to refer the matter to the Prosecutor of the International Criminal Court.”⁸⁶ It underscored that the resolution “recalls the responsibility of each State to protect its own population and of the international community to intervene when States fail in their duty,” expressing hope that “the Libyan regime will hear the message of the international community and put an end to the unacceptable violence committed against their own people.”⁸⁷ Brazil similarly noted, “[b]y adopting this resolution as a matter of urgency, the Security Council has sent a clear signal of its readiness to respond to the situation in Libya in a manner consistent with its responsibilities.”⁸⁸

The resounding justification, then, was that Libya was manifestly failing to protect its citizens, and the international community had a responsibility to act. Notably, these statements suggest that the Security Council members was primarily concerned with protecting civilians from atrocity crimes, rather than mitigating the spillover effects of the conflict. Resolution 1970

⁸⁴ Ibid., 5.

⁸⁵ Ibid., 3.

⁸⁶ Ibid., 5.

⁸⁷ Ibid.

⁸⁸ Ibid., 7.

made no mention of either cross-border consequences or threats to regional stability. Instead, it determined that Libya constituted a threat to international peace and security and acted under Chapter VII solely on based on the gravity of the violence against civilians.

Nigeria, for instance, declared that the purpose of sanctions was to “isolate those currently planning, coordinating, and directing atrocities,”⁸⁹ while South Africa described Resolution 1980 as “a clear and unambiguous message to the Libyan authorities to end the carnage against their people.”⁹⁰ The United States said that the sanctions were “a clear warning to the Libyan Government that it must stop the killing,”⁹¹ Germany supported the resolution to send a “clear and strong” message that “the international community will not tolerate the gross and systematic violation of human rights by the Libyan regime,”⁹² and Spain believed the Council had “conveyed a firm and blunt message: the violence must cease and those responsible for attacks against the population must answer for their crimes.”⁹³ Martin Briens, France’s former deputy ambassador to the UN, later explained:

[In Côte d’Ivoire, the Council] had already experienced from 2003 to 2005 all the consequences of internally displaced persons and... spillover effects. So we just wanted to avoid that again. But it was not linked to what we perceived as an actual project from Gbagbo...to kill this person or that person. It was more about preventing the consequences. In the case of Libya, there was an explicit intention to “kill them all.” So, in a way, it was different, it was much more the spirit of the Responsibility to Protect...[the intervention] was really to prevent the intention of killing.⁹⁴

If a felt obligation to protect civilians from atrocity crimes strongly influenced the decision to impose sanctions, regional consensus also played a crucial role in building support for Resolution 1970. Many states explicitly cited the position of regional organizations as a

⁸⁹ Ibid., 3.

⁹⁰ Ibid.

⁹¹ Ibid.

⁹² Ibid., 6.

⁹³ Ibid., 5.

⁹⁴ Martin Briens, personal communication, March 2022.

justification for action, alongside the need to protect civilians. For instance, South Africa noted that Resolution 1970 “complements the decision of the African Union Peace and Security Council,”⁹⁵ while Nigeria considered it “fitting that the Security Council [had] taken decisive action” in light of the views of the LAS, the AU, and the OIC. China, consistent with its usual approach, declared its support was based on the “concerns and views of the Arab and African countries.”⁹⁶ Similarly, Lebanon described Resolution 1970 as supporting the demands of both the League and the AU, explaining that “[w]hen the Libyan authorities did not respond to [calls for de-escalation], [it] decided — in line with the Arab consensus, the African Union statement of 23 February and the position of the Secretary General of the [OIC] — to vote in favour of this resolution.”⁹⁷ These statements indicate that regional bodies played an important role in enabling consensus that coercive action was appropriate—though in this case, they did not explicitly call for sanctions. Instead, the Council appeared to infer support for stronger measures from the positions expressed in earlier statements.

5.4 Qaddafi’s Obstinace and Regional Requests for Military Intervention

After the vote on Resolution 1970, several Security Council members stressed that they were not prepared to support military intervention. Russia, for instance, stated:

[a] settlement of the situation in Libya is possible only through political means. In fact, that is the purpose of the resolution adopted by the Council, which imposes targeted, clearly expressed, restrictive measures with regard to those guilty of violence against the civilian population. However, it does not enjoin sanctions, even indirect, for forceful interference in Libya’s affairs, which could make the situation worse.⁹⁸

⁹⁵ UNSC, S/PV.6491, February 26, 2011, <https://docs.un.org/S/PV.6491>, 3.

⁹⁶ *Ibid.*, 3.

⁹⁷ *Ibid.*, 4.

⁹⁸ *Ibid.*

A week later, however, Qaddafi sent a letter to the Council rejecting the demands of Resolution 1970, calling the Council's condemnation of Libya "premature" and requesting the resolution's suspension "until the allegations against Libya could be confirmed."⁹⁹ Ban Ki-moon personally called Gaddafi to try to persuade him to de-escalate, but was unsuccessful. Neither did the General Assembly suspending Libya from the Human Rights Council nor the ICC announcing an investigation into alleged crimes against humanity alter the regime's conduct.¹⁰⁰

By early March, Libya had plunged into a full-scale civil war. Rebel militias first captured Benghazi, the country's second largest city, on February 20, then seized much of eastern Libya along with several cities in the west.¹⁰¹ In early March, forces loyal to Gaddafi launched a counteroffensive, pushing eastward and reclaiming strategic towns around Tripoli.¹⁰² By March 10, Gaddafi appeared to have the upper hand after his forces drove rebels from Zawiyah, west of the capital, and Ras Lanuf.¹⁰³ By March 15, his forces had reached the outskirts of Ajdabiya, the last major city before the rebel stronghold of Benghazi.¹⁰⁴

As these battles unfolded, debates intensified within the Security Council about whether and how to respond. While United Kingdom proposed enforcing a no-fly zone in late February, the United States initially downplayed the possibility of military intervention, with Russia

⁹⁹ Security Council Report, *Update Report: Libya*, March 14, 2011, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%2014%20March%202011%20Libya.pdf>, 1.

¹⁰⁰ United Nations, "General Assembly Suspends Libya from Human Rights Council," Press Release GA/11050, March 1, 2011, <https://press.un.org/en/2011/ga11050.doc.htm>; International Criminal Court, "ICC Prosecutor to Open Investigation in Libya," Statement, March 3, 2011, <https://www.icc-cpi.int/news/icc-prosecutor-open-investigation-libya>.

¹⁰¹ Reuters, "Timeline: Libya's uprising against Muammar Gaddafi," August 22, 2011, <https://www.reuters.com/article/world/timeline-libyas-uprising-against-muammar-gaddafi-idUSTRE77K2QH/>; Al Jazeera, "Battle for Libya: Key Moments," August 23, 2011, <https://www.aljazeera.com/news/2011/8/23/battle-for-libya-key-moments>; Encyclopædia Britannica, "Libya Revolt of 2011," <https://www.britannica.com/event/Libya-Revolt-of-2011>.

¹⁰² Encyclopædia Britannica, "Libya Revolt of 2011"; Al Jazeera, "Gaddafi's Men Launch Counterattack," March 7, 2011, <https://www.aljazeera.com/news/2011/3/7/gaddafis-men-launch-counterattack>.

¹⁰³ Encyclopædia Britannica, "Libya Revolt of 2011."

¹⁰⁴ Ibid.

rejecting the idea altogether.¹⁰⁵ On March 2, the LAS adopted a resolution reaffirming their February 22 statement but “unequivocally reject[ing] all forms of foreign intervention in Libya.”¹⁰⁶ Three days later, the Transitional National Council (TNC)—Libya’s new rebel-led government—also called for the international community to protect the Libyan people, but “without any direct military intervention on Libyan soil.”¹⁰⁷ Thus, in early March, the proposal for a no-fly zone lacked both regional support and the backing of Libya’s de facto government, diminishing the prospects for Security Council authorization.

However, these positions shifted as Qaddafi’s forces gained momentum and rapidly approached Benghazi. On March 7, the Gulf Cooperation Council—a regional organization comprising Arab Gulf states—issued a statement calling for the Security Council to “take all necessary measures to protect civilians, including enforcing a no-fly zone over Libya,” stressing that the regime had “lost its legitimacy.”¹⁰⁸ The following day, the Organisation of Islamic Cooperation—the second largest intergovernmental organization after the UN comprising mainly Muslim-majority countries—also endorsed a no-fly zone to protect civilians.¹⁰⁹ Several days later, on March 12, the head of the TNC had warned that if Qaddafi’s forces reached Benghazi, it would result in the deaths of “half a million people.”¹¹⁰ That same day, the LAS convened and adopted a resolution requesting the Security Council to “bear its responsibilities towards the

¹⁰⁵ MacAskill and Julian Borger, “No-Fly Zone Plan Goes Nowhere as US, Russia, and NATO Urge Caution,” March 1, 2011, <https://www.theguardian.com/world/2011/mar/01/libya-no-fly-zone-america>.

¹⁰⁶ Quoted in Kirsch and Helal, “Libya,” 401. Also see: Reuters, “Arab League to Reject Foreign Military Intervention in Libya,” *Jerusalem Post*, March 2, 2011, <https://www.jpost.com/breaking-news/arab-league-to-reject-foreign-intervention-in-libya>.

¹⁰⁷ Security Council Report, *Update Report: Libya*, 2.

¹⁰⁸ *Ibid.*

¹⁰⁹ Organization of Islamic Cooperation (OIC), “Final Communiqué Issued by the Emergency Open-Ended Ministerial Meeting of the OIC Executive Committee on the Alarming Developments in Libyan Jamahiriya,” March 19, 2011, <https://new.oic-oci.org/Lists/ConferenceDocuments/Attachments/2436/2011.pdf>.

¹¹⁰ Chris McGreal, “Gaddafi’s army will kill half a million, warn Libyan rebels,” *The Guardian*, March 12, 2011, <https://www.theguardian.com/world/2011/mar/12/gaddafi-army-kill-half-million>.

deteriorating situation in Libya” by taking the “necessary measures to immediately impose a no-fly zone on Libyan military air aviation, and to establish safe havens in places exposed to shelling as a precautionary measure that allows the protection of the Libyan people.”¹¹¹ It further called for the Council to cooperate with the de facto government and to provide the Libyan people “the necessary protection from the serious violations and grave crimes committed by the Libyan authorities, which have consequently lost their legitimacy.”¹¹²

5.5 Resolution 1973: Authorizing Military Intervention

LAS Resolution 7360 has been described as a “political game changer,”¹¹³ primarily because it helped push the United States in favor of military intervention. Notably, despite earlier calls by France and the United Kingdom for a no-fly zone, the United States remained decidedly uncommitted until March 15.¹¹⁴ According to *Security Council Report*, on March 14—just three days before the Security Council authorized the intervention—Washington was still weighing the consequences of military action and insisted that any operation be multinational.¹¹⁵ At this stage, European members were similarly cautious but had not ruled out the possibility. While Arab states had encouraged the Security Council to follow the region’s lead—and the GCC, the OIC, and the LAS had all endorsed a no-fly zone—both the TNC and the LAS were reluctant to support a ground intervention. With the United States concerned about the potential for

¹¹¹ League of Arab States (LAS), *Resolution 7360*, March 12, 2011, accessed via Security Council Report, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Libya%207360.pdf>.

¹¹² *Ibid.*

¹¹³ Bellamy and Williams, “New Politics of Protection?” 843.

¹¹⁴ Security Council Report, *Update Report: Libya*, 3.

¹¹⁵ Security Council Report, *Update Report 14 March 2011: Libya*, March 14, 2011, <https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Update%20Report%2014%20March%202011%20Libya.pdf>.

escalation, and most members holding the view that not only political but also operational support from the region was needed, the decision-making process remained stalled. China and Russia, for their part, were “hesitant toward any military option with any clear evidence of a trigger event such as mass atrocities,”¹¹⁶ *Security Council Report* observed.

Over the next two days, conditions rapidly changed. On March 15, then-US Secretary of State Hillary met with the Secretary-General of the LAS in Cairo. After the meeting, she phoned President Barack Obama to report that Arab governments had not only endorsed international intervention, but were also willing to provide operational support.¹¹⁷ Clinton relayed that she had proof “that not only was the Arab League in favor, but that the Emirates were serious about participating.”¹¹⁸ For the Obama administration, backing from Arab governments was crucial to avoid the perception that the United States, still actively engaged in combat in both Iraq and Afghanistan, was unilaterally waging war against another Muslim country.¹¹⁹

That same day, an “extremely contentious”¹²⁰ White House meeting resulted in President Obama accepting the case for military intervention argued by Hillary Clinton, Samantha Power, Gayle Smith, and Mike McFaul—the promise of Arab support having strengthened their position.¹²¹ Meanwhile, the following morning, Qaddafi’s son told the France-based TV channel Euronews, “Everything will be over in 48 hours.”¹²² When asked about international debates over a no-fly zone, he replied: “Our forces are close to Benghazi. Whatever decision is taken, it

¹¹⁶ Ibid.

¹¹⁷ Helene Cooper and Steven Lee Myers, “Obama Takes Hard Line With Libya After Shift by Clinton,” *The New York Times*, March 18, 2011, <https://www.nytimes.com/2011/03/19/world/africa/19policy.html>.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Josh Rogin, “How Obama Turned On a Dime Toward War,” *Foreign Policy*, March 18, 2011, <https://foreignpolicy.com/2011/03/18/how-obama-turned-on-a-dime-toward-war/>.

¹²¹ Cooper and Myers, “Obama Takes Hard Line with Libya.”

¹²² Reuters, “Gaddafi Son Says Revolt Will Be Over in 48 Hours,” March 16, 2011, <https://www.reuters.com/article/business/energy/gaddafi-son-says-revolt-will-be-over-in-48-hours-tv-idUSPISGEE76X/>.

will be too late,”¹²³ a statement that raised fears of an imminent massacre. In a dramatic reversal, the United States launched an extraordinary diplomatic effort that day to persuade other Security Council members to support a no-fly zone.¹²⁴ Late in the evening, it even amended the draft resolution to include language allowing a broader military intervention if needed.¹²⁵

It was in this context that the Security Council voted on March 17. Resolution 1973 passed with ten votes in favor and five abstentions—India, Brazil, China, Russia, and Germany. The resolution expressed grave concern at “the escalating violence, and the heavy civilian casualties,” condemned “the gross and systematic violation of human rights, including arbitrary detentions, enforced disappearances, torture and summary executions,” and considered “that the widespread and systematic attacks currently taking place... against the civilian population may amount to crimes against humanity.” “Determining that the situation in [Libya] continues to constitute a threat to international peace and security,” and “[a]cting under Chapter VII of the Charter of the United Nations,” it authorized “Member States that have notified the Secretary-General, acting nationally or through regional organizations or arrangements... to take all necessary measures... to protect civilians and civilian populated areas under threat of attack.” It also decided to establish a “ban on all flights in the airspace of [Libya] in order to protect civilians,”¹²⁶ except those necessary to enforce the no-fly zone. This marked the second time in UN history that the Council explicitly authorized member states to enforce a no-fly zone, and the first time it did so solely for the purpose of protecting civilians.¹²⁷

¹²³ Ibid.

¹²⁴ Bellamy and Williams, “The New Politics of Protection?” 843.

¹²⁵ Security Council Report, “Insights on Libya: What’s In Blue,” March 17, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/03/insights-on-libya-5.php>.

¹²⁶ Ibid.

¹²⁷ The first was the authorization of military intervention in Bosnia in 1993 through Resolution 816 “to ensure safe delivery of humanitarian aid.” See: UNSC, S/RES/816, March 31, 1993, [https://undocs.org/S/RES/816\(1993\)](https://undocs.org/S/RES/816(1993)).

Statements made before and after the vote show that every state supporting Resolution 1973 cited the need to escalate to force given that non-military means had failed to halt the violence. France—the only member to speak beforehand—stressed that the steps taken in Resolution 1970 “have not been sufficient,” noting that the “violence against the civilian population has only increased.”¹²⁸ It declared: “we must not abandon civilian populations, the victims of brutal repression, to their fate; we must not allow the rule of law and international morality to be trampled underfoot.”¹²⁹ For this reason, France had contributed “its utmost” to prepare the draft resolution and “solemnly call[ed] on all members of the Security Council” to adopt it, warning: “We do not have much time left. It is a matter of days, perhaps even hours... Every hour and day that goes by increases the burden of responsibility on our shoulders.”¹³⁰

Following the vote, the United Kingdom stressed that a “violent, discredited regime that has lost all its legitimacy is using weapons of war against civilians.”¹³¹ It noted that Qaddafi’s regime “has ignored this Council’s demand in resolution 1970 that it stop the violence against the Libyan people” and “is now preparing for a violent assault on a city of 1 million people,” “publicly promis[ing] no mercy and no pity.”¹³² The “central purpose” of the resolution was “to end the violence, to protect civilians.”¹³³ Echoing this view, the United States underscored that despite the measures adopted in Resolution 1970, Qaddafi “continues to grossly and systematically abuse the most fundamental human rights of Libya’s people.”¹³⁴ It asserted: “The

¹²⁸ UNSC, S/PV.6498, March 17, 2011, <https://docs.un.org/S/PV.6498>, 2.

¹²⁹ *Ibid.*

¹³⁰ *Ibid.*, 3.

¹³¹ *Ibid.*, 4.

¹³² *Ibid.*

¹³³ *Ibid.*

¹³⁴ *Ibid.*, 2–3.

Council’s purpose is clear—to protect innocent civilians.”¹³⁵ Colombia likewise affirmed that “the new resolution represented a continuation of a process involving gradual measures in keeping with the Charter...that began with resolution 1970.”¹³⁶ It stressed that “the Libyan authorities had sufficient time to comply with resolution 1970,” and that “all of the conditions are present for the Council to act under Chapter VII and take measures additional to the sanctions adopted previously.”¹³⁷ Portugal similarly noted that “since 26 February, the violence has escalated, as have the crimes committed against the Libyan population,”¹³⁸ and therefore supported the use of force to fulfil the “essential objectives”¹³⁹ of ending the violence and protecting civilians.

Other affirmative voters reiterated the gravity and scale of the violence as a justification for action. South Africa declared that the Security Council “has acted responsibly to protect and save the lives of defenceless civilians, who are faced with brutal acts of violence carried out by the Libyan authorities.”¹⁴⁰ Lebanon similarly expressed concern about “the rapidly unfolding painful events and the great suffering that has struck Libya,” including “the use of heavy weapons and aircraft against large swaths of the civilian population,” and noted that “[h]undreds of innocent victims have died.”¹⁴¹ The resolution, Lebanon stressed, was “aimed at protecting Libyan civilians,”¹⁴² though Lebanon hoped it would have a “detering effect” and “avert” the need to ultimately use force.¹⁴³

¹³⁵ Ibid., 5.

¹³⁶ Ibid., 7.

¹³⁷ Ibid.

¹³⁸ Ibid., 8.

¹³⁹ Ibid.

¹⁴⁰ Ibid., 10.

¹⁴¹ Ibid., 3.

¹⁴² Ibid.

¹⁴³ Ibid., 4.

Yet, as with Resolution 1970, protecting civilians was not the sole justification offered for supporting Resolution 1973. Security members also explicitly cited the region's endorsement of a no-fly zone. The United States, for instance, described the resolution as a "powerful response"¹⁴⁴ to the LAS's call for a no-fly zone. Lebanon stressed that Resolution 1973 "takes into account...the demands by the League of Arab States for an end to the violent acts and atrocities crimes being carried out by the Libyan authorities."¹⁴⁵ "As indicated by the Arab league," Lebanon noted, "those authorities have lost all legitimacy."¹⁴⁶ The United Kingdom similarly emphasized that the "League of Arab States has been particularly clear in its demands, including for the imposition of a no-fly zone,"¹⁴⁷ which is why it "has pressed for the early adoption of today's resolution," while South Africa believed the Council "responded appropriately to the call of the countries of the region to strengthen the implementation of resolution 1970."¹⁴⁸ Even China stated that while it is "always against the use of force in international relations," it "attaches great importance to the relevant position by the 22-member Arab League on the establishment of a no-fly zone over Libya," and "in view of this," abstained from voting.¹⁴⁹

Nonetheless, five states were reluctant to support Resolution 1973—not because they believed a no-fly zone was unwarranted, but because of the risks involved and concerns that the text exceeded the region's call for action. Germany affirmed: "Our intention is to stop the violence in the country and to send clear messages to Al Qadhafi and his regime that their time is over...His regime has lost all legitimacy."¹⁵⁰ It was "particularly concerned about the plight of

¹⁴⁴ Ibid., 5.
¹⁴⁵ Ibid., 3.
¹⁴⁶ Ibid.
¹⁴⁷ Ibid., 4.
¹⁴⁸ Ibid., 10.
¹⁴⁹ Ibid.
¹⁵⁰ Ibid., 4.

the Libyan people and the widespread and systematic attacks they are suffering,” and believed it “crucial that we tighten the sanctions against”¹⁵¹ the regime. However, it viewed decisions on the use of force as “extremely difficult to take.”¹⁵² Germany had “very carefully considered the option of using military force—its implications as well as its limitations,” and saw “great risks.”¹⁵³ It argued that “the likelihood of large-scale loss of life should not be underestimated,” and that “if the steps proposed turn out to be ineffective, we see the danger of being drawn into a protracted military conflict that would affect the wider region.”¹⁵⁴ “We should not enter into a military confrontation on the optimistic assumption that quick results with few casualties will be achieved,”¹⁵⁵ Germany emphasized.

Brazil was similarly “not convinced that the use of force...will lead to the realization of our common objective—the immediate end to violence and the protection of civilians.”¹⁵⁶ It was “concerned that such measures may have the unintended effect of exacerbating tensions on the ground and causing more harm than good to the very same civilians we are committed to protecting.”¹⁵⁷ In a different vein, India abstained on the grounds that the Council had neither sufficient “credible information on the situation on the ground in Libya” nor “clarity about details of enforcement measures, including who will participate and with what assets, and how these measures will exactly be carried out.”¹⁵⁸ India was hesitant that “the measures will mitigate and not exacerbate an already difficult situation,” and would have liked “clarity in the resolution on any spillover effects of these measures.”¹⁵⁹

¹⁵¹ Ibid., 5.

¹⁵² Ibid.

¹⁵³ Ibid.,

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid., 6.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

Russia was likewise concerned about ambiguous procedural and logistical issues, regretting that “a whole range of questions raised by Russia and other members of the Council remained unanswered.”¹⁶⁰ “Those questions were concrete and legitimate,” its ambassador emphasized, and “touched on how the no-fly zone would be enforced, what the rules of engagement would be and what limits on the use of force there would be.”¹⁶¹ Russia was also concerned that “provisions were introduced into the text that could potentially open the door to large-scale military intervention,” “transcending the initial concept as stated by the League of Arab States.”¹⁶² Brazil echoed this sentiment, saying the text of Resolution 1973 “contemplates measures that go far beyond [the call]”¹⁶³ of regional bodies.

These statements indicate that disagreements over Resolution 1973 did not concern the applicability of R2P—the justification or “warrant” for using force—to the situation in Libya, but rather what action should follow. This reflects what Anette Stimmer (2025) calls “norm recognition”: a situation of “widespread agreement on the norm frame but disagreement on the claim.”¹⁶⁴ In such cases, states agree on how to interpret a situation—indicating normative commitment—but diverge on the appropriate course of action. In the case of Libya, states broadly agreed that military action may be warranted given the failure of peaceful means to halt the violence. However, they disagreed on whether to impose a no-fly zone, given the potential risks, and whether the Council should allow for a broader military intervention, which arguably exceeded regional bodies’ request. For this reason, it is remarkable that these five states abstained on Resolution 1973 rather than vetoing it outright, thereby allowing military action to

¹⁶⁰ Ibid., 8.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ Ibid., 7.

¹⁶⁴ Anette Stimmer, *The Politics of International Norms: A Rhetorical Approach* (Cambridge: Cambridge University Press, 2025), 59.

proceed. In this moment, the pressure to conform appeared to outweigh concerns about the feasibility and consequences of authorizing intervention.

The perception that Qaddafi's forces posed a limited military threat may also have enabled both these abstentions and broader support for a no-fly zone. While Libya's arms appeared sizeable on paper—with 76,000 soldiers and 40,000 paramilitary troops, 260 attack aircrafts, 650 tanks, 2,300 artillery pieces, and 100 helicopters—this capacity was widely considered to be hollow, Tel Aviv University reported in early March.¹⁶⁵ Fearing a coup, Qaddafi had deliberately kept his army weak over the previous decade, primarily investing in an elite force personally loyal to him.¹⁶⁶ As Alessandro Politi, a military analyst, remarked, “We know very little, but we know one thing: His military machinery is not so big.”¹⁶⁷

In mid-March, *France24* similarly described “this theoretical strength is far from being a reality,” citing frequent targeting mishaps, towns falling to opposition forces without resistance, and widespread desertion among Libyan soldiers.¹⁶⁸ The Fondation de Recherche Strategique observed: “It's impossible to have a precise estimate of the strength of those forces still loyal to Gaddafi. But if the official estimations of the forces at his disposal were correct, there wouldn't be any insurgents left in Libya right now.”¹⁶⁹ This, combined with the obsolescence of most of Libya's heavy equipment (which had been purchased from the Soviet Union during the 1970s), likely facilitated the perception that enforcing a no-fly zone was practically feasible.

¹⁶⁵ Perrine Mouterde, “Obsolete and Inept, yet Gaddafi's Forces Hang On,” *France24*, March 9, 2011, <https://www.france24.com/en/20110309-gaddafi-military-libya-civil-war-mercenaries-army-rebels>; Reuters, “Factbox: Libya's Military: What Does Gaddafi Have?” *Reuters*, March 8, 2011, <https://www.reuters.com/article/world/factbox-libyas-military-what-does-gaddafi-have-idUSTRE7274QI/>; Sylvia Poggioli, “Gadhafi's Military Muscle Concentrated in Elite Units,” *NPR*, March 10, 2011, <https://www.npr.org/2011/03/10/134404618/gadhafis-military-muscle-concentrated-in-elite-units>.

¹⁶⁶ Poggioli, “Gadhafi's Military Muscle Concentrated in Elite Units.”

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

¹⁶⁹ Quoted in Mouterde, “Obsolete and Inept, yet Gaddafi's Forces Hang On.”

At the same time, it is significant that NATO had forward-deployed naval and air capabilities in the Mediterranean—a strategic hub for the alliance—enabling states to rapidly enforce a no-fly zone and arms embargo. On March 8, in response to mounting concern over an assault on Benghazi, NATO had deployed early warning and surveillance aircraft to monitor Libyan airspace.¹⁷⁰ Two days later, it moved ships from pre-positioned NATO assets, along with ships contributed by member states, off the Libyan coast.¹⁷¹ These included US warships carrying aircraft and helicopters, which had transited the Suez Canal in early March, as well as guided-missile destroyers, submarines, and a command-and-control ship, deployed in and around Italy.¹⁷² Italy also offered the use of seven of its military bases, including the NATO base in Naples, as operational hubs.¹⁷³ Meanwhile, France operated air bases in Marseille, Istres, and Corsica, which could reach Libya in 60 to 90 minutes, while the United Kingdom stationed two frigates off the coast and rapidly deployed patrol and attack aircraft from Scotland and Norfolk.¹⁷⁴ Although states did not cite such considerations, it is reasonable to infer from their preparatory actions that the strategic positioning of NATO forces and the alliance’s superior military capabilities facilitated the perception that intervention was militarily feasible.

¹⁷⁰ North Atlantic Treaty Organization (NATO), “NATO and Libya (February – October 2011),” *NATO*, last updated October 21, 2024, https://www.nato.int/cps/en/natohq/topics_71652.htm.

¹⁷¹ *Ibid.*

¹⁷² Haaretz, “U.S. Warships Enter Mediterranean in Move to Be Closer to Libya,” March 2, 2011, <https://www.haaretz.com/2011-03-02/ty-article/u-s-warships-enter-mediterranean-in-move-to-be-closer-to-libya/0000017f-e038-d804-ad7f-f1fa1f130000>; Associated Press, “A Look at the Assets Massing for Libya Military Action,” Honolulu Star-Advertiser, March 19, 2011, <https://www.staradvertiser.com/2011/03/19/breaking-news/a-look-at-the-assets-massing-for-libya-military-action/>.

¹⁷³ *Ibid.*

¹⁷⁴ Reuters, “Military Assets in Play.”

5.6 Conclusion

The Security Council's response to atrocity crimes committed by the Libyan government in 2011 is widely regarded as the paradigmatic R2P intervention. The speed, decisiveness—and, in the case of Resolution 1970, unanimity—with which the Council authorized collective security measures were unprecedented, and arguably have not been observed since. This chapter showed that Libya, like Côte d'Ivoire, rapidly experienced all three trigger events necessary for intervention. First, large-scale violence against civilians escalated during armed conflict. Following the outbreak of protests against Muammar Qaddafi during the Arab Spring, the regime deployed the military and foreign mercenaries against civilians, killing an estimated 1,000 people within ten days. As the crackdown intensified, both ordinary citizens and military defectors took up arms, plunging Libya into civil war.

Crucially, senior UN officials immediately characterized the violence as potential crimes. These included the Libyan ambassador to the UN, the High Commissioner for Human Rights, the Special Advisors on Genocide Prevention and R2P, and the Secretary-General, who warned that crimes against humanity were occurring, with Libya's ambassador characterizing the regime's actions as "genocidal." Regional organizations echoed these concerns, with the League of Arab States and the African Union condemning as in breach of international law. As forces loyal to Qaddafi—who had publicly promised to "cleanse" Libya of the "cockroaches" protesting him—rapidly approached Benghazi, regional bodies shifted in favor of military intervention, with the League of Arab States, the Gulf Cooperation Council, and the Organisation of Islamic Cooperation calling for or endorsing a no-fly zone to protect civilians. Ten days later, the Security Council adopted Resolution 1973 authorizing a no-fly zone, as well as language allowing for a broader intervention.

As in Côte d'Ivoire, the underlying necessary conditions were present in Libya, enabling these trigger events to catalyze the decision-making process toward intervention. No P5 state was allied with Qaddafi or had strategic interests in shielding the regime, leaving him without veto-wielding defenders in the Security Council. Qaddafi, whose extreme political views had diplomatically isolated him over decades, was also deeply unpopular within the region, leaving him similarly vulnerable within the LAS.¹⁷⁵ Partly as a result, the Council quickly agreed to recognize Libya as a threat to international peace and security, citing the risk of atrocity crimes as the basis for the designation in Resolution 1970. Ultimately, following back-to-back endorsements from the GCC, the OIC, and an explicit request from the LAS for a no-fly zone, a consensus solidified that peaceful means were inadequate to stop the violence.

Libya was unique, however, in that only partial agreement emerged on the measures proposed in Resolution 1973. While all states acknowledged the need to protect civilians, they disagreed on whether military intervention was the appropriate course of action. Germany viewed it as too risky, India and Russia wanted clearer operational guidelines, while Brazil and Russia believed the text exceeded what regional bodies had endorsed. At the point of deliberation, the strength of the normative pressure to act appeared decisive in pushing hesitant states toward allowing the resolution to pass—whether out of overriding normative concern for civilian protection, an interest in conforming, or both. At the same time, it is reasonable to deduce that Qaddafi's military weakness compared to the P3—which had committed to supporting the intervention and had military assets positioned for rapid deployment—played an enabling role.

¹⁷⁵ Richard Downie, "Qaddafi's Tangled Legacy in Africa," *Center for Strategic and International Studies*, March 2, 2011, <https://www.csis.org/analysis/qaddafis-tangled-legacy-africa>; "Profile: Muammar Gaddafi," *Al Jazeera*, August 22, 2011, <https://www.aljazeera.com/news/2011/8/22/profile-muammar-gaddafi>; Libya is not a member of the GCC.

The case of Libya again demonstrates that Security Council intervention decisions are not determined by a single, overriding “cause.” It is difficult, if not impossible, to explain the decision to authorize intervention without examining the interaction between political, material, and normative conditions, including specific acts and events that catalyzed decision-making, background conditions that “activated” these catalysts, and enabling factors that facilitated consensus or pushed states in favor of action. Likewise, an in-depth analysis of the decision-making process from February to March shows that the Council’s decision to intervene when it did was not “random.” Resolutions 1970 and 1973 were produced by a specific—albeit complex and contextually bounded—causal process, as observed in Côte d’Ivoire.

Chapter 6

Sudan

“The only difference between Rwanda and Darfur is the numbers involved of dead, tortured, and raped. This is ethnic cleansing, this is the world’s greatest humanitarian crisis, and I don’t know why the world is not doing more about it.”

– Mukesh Kapila, 2004

The previous two chapters examined two “typical” R2P interventions. In both Côte d’Ivoire and Libya, the Security Council swiftly and decisively authorized coercive measures under Chapter VII of the United Nations (UN) Charter in response to large-scale violence perpetrated by governments against their citizens. This chapter turns to the final case of collective action since 2005 in response to state-led atrocities: Sudan. While the international response to atrocity crimes in Darfur, which escalated from 2003, was initially slow, the Council ultimately expanded the protection of civilians (POC) mandate of the UN peacekeeping mission stationed in Sudan (UNMIS), “deciding” the mission would deploy to the region and “inviting” the government’s consent. Though the resolution stopped short of explicitly “authorizing” the deployment, the word “decide” has been widely interpreted as implying authorization.

As discussed in Chapter 1, Resolution 1706 occupies a legal and political grey zone: the Security Council did not use the standard enforcement language of “authorization,” and Khartoum ultimately withheld consent. As a result, UNMIS never deployed to Darfur, leading the UN and the African Union (AU) to establish a joint African-led mission the following year. Nonetheless, I argue that the preemptive authorization *without* Sudan’s consent was a coercive action with peace enforcement objectives, falling under the definition of “collective action” in

this thesis. Regardless of whether Resolution 1706 was implemented, Council members initially agreed to authorize the deployment to protect civilians absent government consent—the outcome of interest for this thesis.

This chapter analyzes how the authorization of Resolution 1706 came about, arguing that the same underlying process that led to intervention in Côte d’Ivoire and Libya also produced collective action in Sudan, although how these conditions manifested and unfolded differed. In Sudan, each trigger event occurred in succession, but over a longer time frame than previously observed: large-scale violence against civilians escalated during armed conflict, senior UN officials and a UN investigation characterized the violence as potential crimes, and, eventually, the AU endorsed transitioning from a regional to an international peacekeeping force. Meanwhile, the underlying necessary conditions gradually aligned. Following sustained international advocacy, the Council recognized Sudan as a threat to international peace and security in mid-2004, a year after the violence began. While African states initially opposed external intervention, and China and Russia shielded Khartoum, Sudan eventually lost support due to its obstinance in UN and AU-led negotiations, and because the AU could no longer independently finance a peacekeeping mission. Ultimately, a consensus emerged on deploying international peacekeepers following the AU’s endorsement of a UN force.

The theorized enabling factors also contributed to the decision to authorize intervention in Darfur, though less decisively than in Côte d’Ivoire and Libya. Following its adoption in 2005, R2P increasingly shaped the Security Council’s response to the crisis, with many states invoking the norm to justify support for Resolution 1706. Indeed, Sudan served as R2P’s first “test case.” In contrast, the Secretary-General played an indirect, though still important, role. Due to political

sensitivities within the AU, Kofi Annan privately advocated for an international presence in Darfur, offering public support only based on the conclusions of a joint UN–AU mission.

The question of feasibility was more complex. While the presence of a UN peacekeeping force and the relative weakness of Sudan’s army and allied militias made intervention in Darfur possible, the speed and effectiveness of any deployment remained uncertain. Despite Sudan’s fragmented forces and outdated equipment, UNMIS lacked a clear military advantage—unlike UNOCI and French forces Côte d’Ivoire, or NATO allies in Libya—given its limited POC experience, resource and operational constraints, and the lack of external support from powerful states. That the Security Council authorized still intervention suggests that intervening forces need not always have a decisive military edge. In other words, the Council, under pressure to act decisively, may be willing to authorize military intervention to protect civilians, even when feasibility and prospects for success are uncertain.

Table 6.1 Conditions for UNSC Action in Sudan

Causal Role	Causal Directness	Condition	Value
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	Present
		UN atrocity characterization	Present
		Regional request for intervention	Present
	<i>Underlying</i>	Absence of P5 alignment	Present
		Recognition as IPS threat under Art. 39	Present
Enabling	<i>Proximate</i>	Secretary-General request for intervention	Present
		<i>Underlying</i>	R2P salience
	Perpetrator military strength		Weak
	Rapid response capabilities		Adequate

6.1 Sudan's Darfur Crisis, 2003–2006

The origins of the ongoing civil war in Sudan's Darfur region trace to intercommunal conflict over land resources from the 1970s.¹ As droughts in the Sahel region became more frequent, Arab nomadic herders moved south to find pasture and water, causing conflict with long established non-Arab farmers.² During the 1980s, the conflict evolved along ethnic lines when the Sudanese government aligned with Muammar Qaddafi's Arab supremacist regime in Libya.³ After Omar al-Bashir came to power through a coup in 1989, the government adopted formal policies favoring Arab groups, further marginalizing non-Arabs and stoking intercommunal violence. These tensions culminated in the early 2000s, when Sudan's military, the Sudanese Armed Forces (SAF), escalated attacks on non-Arab villages. In response, multiple rebel groups formed, including the Sudanese Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), plunging Sudan into a protracted armed conflict.⁴ Throughout 2002 and 2003, the SLM/A and JEM mounted multiple attacks on the SAF, posing a growing threat to government control over parts of Darfur.⁵ In April 2003, the rebels successfully attacked a government airbase in northern Darfur's capital city Al Fasher, jeopardizing Bashir's grip over the region.⁶

¹ For overviews of the origins of Sudan's Darfur crisis, see: Jared Genser, "The United Nations Security Council's Implementation of the Responsibility to Protect: A Review of Past Interventions and Recommendations for Improvement," *Chicago Journal of International Law* 18, no. 2 (2018): 456–65; Andrew Natsios and Zachary Scott, "Darfur, Sudan," in *The Responsibility to Protect: The Promise of Stopping Mass Atrocities in Our Time*, ed. Jared Genser and Irwin Cotler (New York: Oxford University Press, 2014), 235–59; Bruno Stagno Ugarte, "Sudan (Darfur)," in *The United Nations Security Council in the Age of Human Rights*, ed. Jared Genser and Bruno Stagno Ugarte (Cambridge: Cambridge University Press, 2011); International Coalition for the Responsibility to Protect (ICR2P), "The Crisis in Sudan," <https://perma.cc/P5QX-CCS7>.

² Natsios and Scott, "Darfur," 236.

³ Ibid.

⁴ Rule of Law in Armed Conflict (RULAC), "Non-international Armed Conflicts in Sudan," Geneva Academy, <https://www.rulac.org/browse/conflicts/non-international-armed-conflicts-in-sudan#collapse3accord>.

⁵ Genser, "Implementation of the Responsibility to Protect," 457.

⁶ Aegis, "Darfur," <https://www.aegistrust.org/learn/mass-atrocities/darfur/>.

In response to this perceived threat, the Sudanese military and its proxy militia, known as the Janjaweed, escalated attacks on non-Arab villages on an unprecedented scale. In the course of the attacks, government and Janjaweed forces committed widespread, systematic violence against civilians that peaked from September 2003 to April 2004 but continued until 2007, ultimately abating by 2009.⁷ Among other documented crimes, these forces perpetrated mass killings, burned and looted villages, forcibly displaced civilians, and committed mass rape and other forms of sexual violence.⁸ While the exact number of civilian deaths at the government's hands is unknown, the conflict is estimated to have killed 300,000 people and displaced 2.7 million between 2003 and 2008, with the majority of deaths resulting from the violence occurring from 2003 to 2004—long before the Security Council turned its attention to Darfur.⁹

Following a closed-door briefing in May 2004, the Security Council issued its first presidential statement on Darfur calling on all parties to cease hostilities.¹⁰ By July, the Council imposed an arms embargo on all non-state actors in Darfur, and several months later, established a commission of inquiry (COI) to investigate genocide allegations—the first UN investigation ever created for this explicit purpose.¹¹ In August 2004, the AU deployed a regional peacekeeping force to Darfur, the AU Mission in Sudan (AMIS), to monitor a recently agreed ceasefire. At this stage, the organization strongly opposed any intervention by non-African states

⁷ Natsios and Scott, “Darfur,” 240–242.

⁸ Ibid.

⁹ ICR2P, “Sudan”; ACAPS, “Briefing Note – Sudan,” August 12, 2022, <https://reliefweb.int/report/sudan/acaps-briefing-note-sudan-increased-violence-darfur-region-12-august-2022>.

¹⁰ United Nations Security Council (UNSC), S/PRST/2004/18, May 26, 2004, <https://docs.un.org/S/PRST/2004/18>.

¹¹ UNSC, UN/RES/1556, July 30, 2004, <https://docs.un.org/UN/RES/1556>; UNSC, UN/RES/1565, September 19, 2004, <https://docs.un.org/UN/RES/1565>.

and declared that the situation was an “African responsibility,” even as Sudan obstructed AMIS’s operations and the mission lacked the resources to operate effectively.¹²

In January 2005, the Darfur COI released its first report to then–UN Secretary-General Kofi Annan, concluding that while the Sudanese government had not pursued a policy of genocide, there was evidence of crimes against humanity and war crimes that “may be no less serious.”¹³ Following the report’s release, the Security Council stepped up its response to Darfur, adopting a rapid series of measures in March 2005. This included establishing a peacekeeping mission, the UN Mission in Sudan (UNMIS), to implement a ceasefire, authorizing a travel ban and asset freezes, and setting up a sanctions committee.¹⁴ Additionally, the Council referred the situation to the International Criminal Court (ICC), making Darfur the first situation to ever be referred to the court.¹⁵ The AU did not immediately support the ICC referral, but ultimately welcomed it in March 2006 and publicly endorsed transitioning AMIS into a UN led-operation.¹⁶

In August 2006, the Security Council adopted Resolution 1706 expanding UNMIS’s protection of civilians (POC) mandate to include Darfur and “inviting” Sudan’s consent to deploy the mission.¹⁷ The preambular clauses of the resolution recalled paragraphs 138–139 of the 2005 Summit Outcome Document (SOD), the first ever country-specific Council resolution to reference R2P.¹⁸ Although Sudan ultimately rejected UNMIS’s presence in Darfur and the

¹² Alex de Waal, “Darfur and the Failure of the Responsibility to Protect,” *International Affairs* 83, no. 6 (2007): 1039–54; Susan Rice, “Why Darfur Can’t Be Left to Africa,” Brookings Institution, August 7, 2005, <https://www.brookings.edu/articles/why-darfur-cant-be-left-to-africa/>.

¹³ The International Commission of Inquiry on Darfur, “Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General,” February 25, 2005, <https://reliefweb.int/report/sudan/report-international-commission-inquiry-darfur-united-nations-secretary-general>.

¹⁴ UNSC, S/RES/1590, March 24, 2005, <https://docs.un.org/S/RES/1590>.

¹⁵ UNSC, S/RES/1593, March 31, 2005, <https://docs.un.org/S/RES/1593>.

¹⁶ African Union Peace and Security Council, PSC/MIN/Comm.(XLVI), March 20, 2006, <https://www.peaceau.org/uploads/communiqueeng-46th.pdf>.

¹⁷ UNSC, S/RES/1706, August 31, 2006, <https://docs.un.org/S/RES/1706>.

¹⁸ Genser, “Implementation of the Responsibility to Protect,” 460; United Nations Press, “Security Council Expands Mandate of UN Mission in Sudan to Include Darfur, Adopting Resolution 1706 By Vote Of 12 In Favour, With 3 Abstaining,” August 31, 2006, <https://press.un.org/en/2006/sc8821.doc.htm>.

mission never deployed—leading to the creation of a joint UN–AU mission in 2007 as a compromise—Resolution 1706 marked the first time the Council authorized a peacekeeping mission to deploy to a region to protect civilians without obtaining state consent. As argued above, this is both consistent with the definition of “collective action” in this thesis and in line with its understanding of R2P’s pillar 3b component.

I will briefly elaborate on the reasons for this interpretation. While the Security Council has the power to authorize coercive measures under Chapter VII to respond to atrocity crimes, the *implementation* of these measures depends on other actors, including member states or other UN entities, and can face political and operational challenges. For instance, responsibility for designating and monitoring sanctions is usually delegated to a sanctions committee, which, in turn, relies on member state cooperation for enforcement. Since the Security Council has no standing military force, it must likewise depend on member states to contribute to peacekeeping missions or joint military operations. Yet, obstacles faced in implementing Chapter VII resolutions do not negate the fact that states initially agreed to authorize them. While a state could plausibly permit a resolution to pass due to anticipated implementation challenges, allowing it to pass instead of vetoing it outright still represents a form of norm conforming behavior.¹⁹

I therefore argue that Resolution 1706 is a case of “collective action,” even though it was never implemented. The question, then, is why and how the Security Council’s decision to authorize the intervention came about. This remainder of the chapter more closely analyzes how the violence unfolded in Darfur from 2003, as well as the arc of the international and regional responses through 2006. I show that the same underlying process occurred in Sudan as in Côte

¹⁹ Martha Finnemore and Kathryn Sikkink, 1998, “International Norm Dynamics and Political Change,” *International Organization* 52(4), 898.

d'Ivoire and Libya—with each catalyst for intervention unfolding in sequence, supported by the necessary underlying conditions and enabling factors—although the sufficient set took longer to align due to contextual factors. These included Darfur's geographic remoteness, limited information flows about the unfolding events, regional politics centered on African leadership, and a shifting international normative environment.

6.2 The Escalation of Large-Scale Violence Against Civilians During Armed Conflict and UN Atrocity Warnings

Although widespread, systematic violence against civilians in Darfur escalated in April 2003, and both human rights organizations and UN officials had raised concerns of atrocity crimes for over a year, the Security Council did not even place Sudan on its agenda until May 2004.²⁰ In fact, the crisis was first brought to its attention during an open debate on the protection of civilians in armed conflict in December 2003, where Under-Secretary-General for Humanitarian Affairs Jan Egeland expressed concern over the displacement of 600,000 people in the region.²¹ In early 2004, prominent international non-governmental organizations (INGOs), including International Crisis Group and Human Rights Watch, published multiple reports warning that war crimes, crimes against humanity, and ethnic cleansing were occurring in Darfur, helping to draw international attention to the crisis.²² In March 2004, UN Sudan

²⁰ Genser, "Implementation of the Responsibility to Protect," 458; United Nations (UN) News, "The UN Respond to the Crisis in Darfur: A Timeline," archived November 20, 2006, https://web.archive.org/web/20061120212957/http://www.un.org/News/dh/dev/scripts/darfur_formatted.htm.

²¹ Ugarte, "Sudan," 347; UNSC, S/PV.4877, December 9, 2003, <https://docs.un.org/S/PV.4877>.

²² International Crisis Group, "Darfur Rising: Sudan's New Crisis," March 25, 2004, <https://www.crisisgroup.org/africa/horn-africa/sudan/darfur-rising-sudans-new-crisis>; Human Rights Watch, "Darfur in Flames: Atrocities in Western Sudan," April 2004, <https://www.hrw.org/reports/2004/sudan0404/sudan0404.pdf>; Human Rights Watch, "Darfur Destroyed: Ethnic Cleansing by Government and Militia Forces in Western Sudan," May 2004, <https://www.hrw.org/report/2004/05/06/darfur-destroyed/ethnic-cleansing-government-and-militia-forces-western-sudan>.

Coordinator Mukesh Kapila made one of the strongest statements yet on Darfur, describing the violence as comparable to the 1994 Rwandan genocide.²³ The only difference now, Kapila said, was “the numbers involved.”²⁴

On April 2, Egeland briefed the Security Council on the deteriorating conditions in Darfur and declared that “international humanitarian law and fundamental human rights are being violated systematically and in a climate of impunity.”²⁵ The same day, Egeland told a press conference that UN agencies and human rights groups were receiving “daily reports of widespread atrocities and grave violations of human rights,” describing the situation as one of “ethnic cleansing.”²⁶ Shortly afterward, the Council issued a press statement expressing “deep concern about the massive humanitarian crisis”²⁷ in Darfur and calling for a ceasefire. However, it did not place Sudan on its agenda. Meanwhile, the Office of the High Commissioner for Human Rights (OHCHR) sent a fact-finding mission (FFM) to Darfur in late April to assess the allegations of serious abuses.²⁸

Two weeks later, on May 7, acting UN High Commissioner for Human Rights Bertrand Ramcharan briefed the Security Council on the mission report, which determined that the Sudanese government and Janjaweed forces had committed grave human rights violations that

²³ BBC News, “Mass rape in Western Sudan,” March 19, 2004, <http://news.bbc.co.uk/2/hi/africa/3549325.stm>.

²⁴ All Africa, “Sudan: Darfur is World’s Greatest Humanitarian Disaster, Says UN Official,” March 22, 2004, <https://allafrica.com/stories/200403220078.html>.

²⁵ Ugarte, “Sudan,” 347; United Nations Press, “Press Briefing on Humanitarian Crisis in Darfur, Sudan,” April 2, 2004, <https://press.un.org/en/2004/db040805.doc.htm>.

²⁶ UN News, “Sudan: Envoy warns of ethnic cleansing as Security Council calls for ceasefire,” April 2, 2004, <https://news.un.org/en/story/2004/04/99372-sudan-envoy-warns-ethnic-cleansing-security-council-calls-ceasefire>; United Nations (UN) Press, “Press briefing on humanitarian Crisis in Darfur, Sudan,” April 2, 2004, <https://press.un.org/en/2004/egelandbrf.doc.htm>.

²⁷ UN Press, “Press Statement on Darfur, Sudan, by Security Council President,” April 2, 2004, <https://press.un.org/en/2004/sc8050.doc.htm>.

²⁸ Office of the United Nations High Commissioner for Human Rights, “Human Rights Fact-Finding Mission on the Situation in Darfur Leaves Geneva,” October 2009, <https://www.ohchr.org/en/press-releases/2009/10/human-rights-fact-finding-mission-situation-darfur-leaves-geneva>.

“may constitute war crimes and/or crimes against humanity.”²⁹ On May 24, prominent INGOs also briefed the Council on Darfur, definitively characterizing the violence as atrocity crimes.³⁰ Médecins Sans Frontières asserted that “a systematic campaign of widespread and extreme violence has been perpetrated against the civilian population of Darfur,”³¹ while Human Rights Watch emphasized that the crisis had been “caused by massive, systematic violations of international human rights and humanitarian law constituting crimes against humanity committed by the Sudanese Government and...the Janjaweed.”³²

Following the briefing, the Security Council became formally seized of the situation and issued a presidential statement expressing “deep concern at the continuing reports of large-scale violations of human rights and of international humanitarian law in Darfur.”³³ It also demanded accountability, called on all parties to “ensure the protection of civilians,” and specifically urged the Sudanese government to “respect its commitments to ensure that the Janjaweed militias are neutralized and disarmed.”³⁴ Still, no proposal for concrete measures emerged.

These records indicate that by May 2004, two “catalyst” events for intervention had already occurred: large-scale violence against civilians escalated during armed conflict, with an FFM determining that atrocity crimes may have been committed, and senior UN officials

²⁹ UN News, “UN finds Sudan has carried out massive human rights violations in Darfur,” May 7, 2004, <https://news.un.org/en/story/2004/05/102822>.

³⁰ Security Council Report, “Arria-Formula Meetings, 1992-2018,” https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/working_methods_arria_formula.pdf.

³¹ Médecins Sans Frontières, “The humanitarian situation in Darfur, Sudan,” May 24, 2005, <https://www.msf.org/humanitarian-situation-darfur-sudan-msf-statement-United-nations-security-council>.

³² Human Rights Watch, “Addressing crimes against humanity and ‘ethnic cleansing’ in Darfur, Sudan: A briefing paper to the UN Security Council,” May 24, 2005, <https://www.hrw.org/report/2004/05/24/addressing-crimes-against-humanity-and-ethnic-cleansing-darfur-sudan/briefing>.

³³ UNSC, S/PV.4978, May 25, 2004, <https://docs.un.org/S/PV.4978>, 2.

³⁴ Ibid.

characterizing the violence as potential crimes to the Security Council. This raises the question of why the Council was nonetheless far from the point of considering concrete action.

As observers have noted, at this stage, Security Council members showed “little appetite”³⁵ to consider military measures. Above all, the United States was unprepared to send troops to Darfur, particularly given its military commitments in Iraq and Afghanistan, though it had called for sanctioning Sudan that spring.³⁶ However, other members had various interests in shielding Khartoum and opposed even non-military measures. Two of the strongest opponents were China and Russia, which appeared mainly motivated by economic interests. China had longstanding friendly relations with Sudan and owned a 40 percent stake in the country’s main oil consortium, sourcing one-tenth of all its imported oil from Sudan.³⁷ As analysts concluded at the time, this suggests China had an economic interest in opposing sanctions on Sudanese oil exports.³⁸ Analysts have similarly argued that Russia opposed oil sanctions for fear they would allow Sudan to default on debt payments for a failed oil deal from 2000.³⁹ Furthermore, China and Russia were not the only detractors: most non-permanent members opposed sanctions, including Brazil, Angola, and the Philippines.⁴⁰ In particular, Algeria—which was considered to vote on behalf of Arab countries largely aligned with al-Bashir—consistently shielded Khartoum from possible action.⁴¹

³⁵ Natsios and Scott, “Darfur,” 250.

³⁶ Ibid.

³⁷ Human Rights Watch, “China’s Involvement in Sudan: Arms and Oil,” November 2003, <https://www.hrw.org/reports/2003/sudan1103/26.htm>; Peter Goodman, “China Invests Heavily in Sudan’s Oil Industry,” *The Washington Post*, December 22, 2004, <https://www.washingtonpost.com/archive/politics/2004/12/23/china-invests-heavily-in-sudans-oil-industry/1621ae06-9f18-4c83-aea8-1d390279c073/>.

³⁸ Ibid.

³⁹ Williams and Bellamy, “The Crisis in Darfur,” 33.

⁴⁰ Natsios and Scott, “Darfur,” 250.

⁴¹ International Crisis Group, “About The Arab Stance Vis-à-vis Darfur,” March 21, 2007, <https://www.crisisgroup.org/africa/horn-africa/sudan/about-arab-stance-vis-vis-darfur>.

Sudan, then, had multiple allies in the Security Council—including P5 states—diminishing the prospects for intervention. This provides one explanation why the Security Council did not act in the early stages of the Darfur crisis. At the same time, it is significant that the 2005 World Summit Outcome Document (WSOD), which formally endorsed the R2P norm, had not yet been adopted. In fact, the language of “responsibility” was nearly absent from Security Council discussions on Darfur until 2006. After the concept of R2P emerged in 2001 through the International Commission on Intervention and State Sovereignty (ICISS), it took a multi-year effort by Canada, the ICISS commissioners, civil society, and eventually Kofi Annan to persuade UN member states to adopt it, with the precise content of the norm only negotiated for the World Summit. R2P was thus, at best, an “emergent norm”⁴² during this period. This means that the definition of the norm, what constituted a violation, and what consequences should be imposed on violators, how, and by whom was still contested.⁴³ As a result, Council members could neither be guided by nor face consequences for violating clear standards of appropriate conduct in atrocity situations, removing a crucial motive to pursue potentially costly courses of action.⁴⁴ This “pre-R2P” normative context, combined with regional and P5 alignment with Khartoum, also helps explain the Council’s initially slow response to Darfur, despite consistent, credible reports of atrocity crimes.

⁴² Finnemore and Sikkink, “International Norm Dynamics,” 896.

⁴³ *Ibid.*, 900.

⁴⁴ Although there would be less consensus on how to implement R2P in practice.

6.3 Recognition of a Threat to the Peace, Contestation Over Perpetrator Identity, and Support for AU-Led Peacekeeping

While the international response to Darfur was slow to start, by July 2004, the Security Council faced mounting pressure to take action. In early July, Kofi Annan and then-US Secretary of State Colin Powell traveled to Sudan for talks with the government on humanitarian aid, where Powell shared with Annan and his staff satellite imagery obtained by USAID evidencing the destruction of 377 villages in Darfur.⁴⁵ At the end of the visit, Sudan signed a joint communiqué with the UN pledging to improve humanitarian conditions.⁴⁶ Khartoum, however, took few steps afterward to comply, prompting Annan and Powell to call for increased pressure on Sudan at a July 22 press conference.⁴⁷ Shortly afterward, France, the United Kingdom, and the United States jointly tabled a draft resolution.

A week later, the Security Council adopted Resolution 1556—its first resolution on Darfur—recognizing the situation as a threat to international peace and security.⁴⁸ The Council condemned “all acts of violence and violations of human rights and international humanitarian law by all parties, in particular by the Janjaweed, including indiscriminate attacks on civilians, rapes, forced displacements, and acts of violence...with an ethnic dimension,” recalling that “the Government of Sudan bears the primary responsibility to respect human rights”⁴⁹ within its territory. “Determining that the situation in Sudan constitutes a threat to international peace and

⁴⁵ UN News, “The UN Respond to the Crisis in Darfur: A Timeline,” https://web.archive.org/web/20061120212957/http://www.un.org/News/dh/dev/scripts/darfur_formatted.htm; Natsios and Scott, “Darfur,” 246.

⁴⁶ UN Press, “Joint Communique between the Government of Sudan and the United Nations on the occasion of the visit of UN SG to Sudan, 29 Jun – 3 Jul 2004,” July 3, 2004, <https://reliefweb.int/report/sudan/joint-communique-between-government-sudan-and-united-nations-occasion-visit-un-sg-sudan>.

⁴⁷ UN News, “Sudan’s Government must protect civilians in Darfur, Annan and Powell say,” July 22, 2004, <https://news.un.org/en/story/2004/07/110402>.

⁴⁸ UNSC, S/RES/1556, July 30, 2004, [https://docs.un.org/S/RES/1556\(2004\)](https://docs.un.org/S/RES/1556(2004)).

⁴⁹ Ibid.

security and to stability in the region,” and “[a]cting under Chapter VII of the UN Charter,” the Council demanded that Sudan “fulfil its commitments to disarm the Janjaweed militias,” imposed an arms embargo on “all non-governmental entities and individuals” operating in Darfur, and “express[ed] its intention to consider further actions, including measures as provided for under Article 41 of the Charter or the United Nations on the Government of Sudan, in the event of non-compliance.”⁵⁰ Resolution 1556 passed 13–0, with China and Pakistan abstaining.

Statements after the vote indicate a broad consensus within the Security Council that atrocity crimes were occurring in Darfur. According to the United States, the Sudanese government “has done the unthinkable. It has fostered an armed attack on its own civilian population. It has created a humanitarian disaster,” calling the resolution a “necessary response if we are to help save the people of Darfur.”⁵¹ Notably, the United States addressed whether the situation could be characterized as genocide, arguing that semantic debates should not forestall concrete action:

Many people who are concerned about Darfur would say that this resolution does not go far enough. Last week, the Congress of the United States passed resolutions referring to the atrocities in Darfur as genocide. Many people would want the Security Council to do the same. Perhaps they are right. But it is important that we not become bogged down over words. It is essential that the Security Council act quickly, decisively and with unity. We need to fix this humanitarian problem now.⁵²

The Philippines similarly argued:

Whether what is happening there is genocide or ethnic cleansing should not be the priority question at the moment. The fact is, people are dying, and women are being raped and homes and property destroyed. The collective conscience of the international community must arrest that catastrophe.⁵³

⁵⁰ Ibid.

⁵¹ UNSC, S/PV.5015, July 30, 2004, <https://docs.un.org/S/PV.5015>, 3.

⁵² Ibid., 4.

⁵³ Ibid., 10.

Significantly, nearly every other Security Council member expressed concern over the gravity of the violence, though they did not address the question of genocide. The United Kingdom stressed that “tens of thousands have already died” and that the Council intended to consider “measures as provided for in Article 41 of the Charter” if the “intimidation and atrocities do not end,”⁵⁴ while Spain expressed “deep concern at the ongoing violations of human rights and international humanitarian law.”⁵⁵ Even Algeria, Angola, and Benin expressed their joint concern over the “horrendous crimes committed against the civilian population,”⁵⁶ with Russia acknowledging that “large-scale violations of human rights and the norms of international humanitarian law are continuing.”⁵⁷

While a broad consensus existed that international crimes were occurring in Darfur, there was, however, no unified view on who should be named as responsible. While some Security Council members blamed the government, others condemned the Janjaweed without directly criticizing Sudan, and several referred only to Darfur’s “humanitarian crisis” without assigning blame. At one extreme, the United States directly assigned blame to Sudan, stating that the “[a]ctions of the Government of Sudan and its Janjaweed proxies have led to 30,000 deaths in Darfur.”⁵⁸ According to the United States, “the responsibility for this disaster lies squarely with the Government of Sudan.” No other member overtly contested this attribution, but none condemned Sudan as directly or forcefully.⁵⁹ For instance, the United Kingdom said Sudan had “so far failed” to protect its own people, but noted that “the rebels in Darfur also bear their share of the responsibility for the present crisis.”⁶⁰ Spain likewise stated that Resolution 1556 “should

⁵⁴ Ibid., 5.

⁵⁵ Ibid.; Ibid., 8.

⁵⁶ Ibid., 5.

⁵⁷ Ibid., 6.

⁵⁸ Ibid., 3.

⁵⁹ Ibid., 3.

⁶⁰ Ibid., 5.

be understood as being aimed also at the Janjaweed militias and those supporting them as well as at the rebels,”⁶¹ while Pakistan stressed that “[n]ot only the Government of the Sudan, but also the rebel groups must halt their attacks.”⁶²

At the other extreme, Russia avoided condemning Sudan altogether, instead blaming “units of the Janjaweed and other illegal armed groups” for killing civilians. China, without assigning responsibility to any party, expressed confidence that Sudan “will continue actively to honor its commitments,” particularly “to disarm the Janjaweed,” while Algeria, Angola, and Benin merely expressed hope for progress “in disarming the Janjaweed.”⁶³ These divergent views on whether to publicly blame Sudan for the violence partly explain why the Council did not intervene at this stage: without agreement on the identity of the perpetrators of atrocity crimes, the Council cannot authorize measures targeting any particular actor or group.

At the same time, the Security Council was following the lead of the AU, which was leading on diplomacy and mediation efforts. Resolution 1556 “[w]elcom[ed] the leadership role and the engagement of the African Union to address the situation in Darfur,” “express[ed] its readiness to support these efforts,”⁶⁴ and endorsed “the protection force envisaged by the African Union,”⁶⁵ referring to an early-stage proposal to deploy a small peacekeeping force to protect AU observers and facilitate the return of refugees.⁶⁶ After the vote, Algeria, Angola, and Benin reiterated the need for the Security Council to “complement and support the efforts of the African Union.”⁶⁷ They expressed satisfaction that the resolution “contains a strong and

⁶¹ Ibid., 8.

⁶² Ibid., 10.

⁶³ Ibid., 6.

⁶⁴ S/RES/1556, 1.

⁶⁵ Ibid.

⁶⁶ *The New Humanitarian*, “African Union to Send Protection Force to Darfur,” July 6, 2004, <https://www.thenewhumanitarian.org/news/2004/07/06>; Al Jazeera, “AU Force Set to Enter Darfur,” August 13, 2004, <https://www.aljazeera.com/news/2004/8/13/au-force-set-to-enter-darfur>.

⁶⁷ S/PV.5015, 5.

unequivocal expression of support” for the AU’s role in addressing Darfur, and emphasized that only after attempts to disarm the Janjaweed and promote a peace process “will the Council consider whether or not it should envisage other measures.”⁶⁸

It was precisely for fear the Security Council was overstepping the AU and veering too quickly from cooperation to coercion that China and Pakistan abstained. China stressed that the Council “should listen attentively to the voice of the African Union, and its actions should be conducive to securing the cooperation of the Sudanese Government.”⁶⁹ It asserted that Sudan had “taken a number of measures aimed at honoring the commitment it made in the communiqué” and that the measures imposed “cannot be helpful in resolving the situation in Darfur and may even further complicate it.”⁷⁰ In a similar vein, Pakistan argued that the Council “must encourage that cooperation, not complicate it,” and did not believe “the threat or imposition of sanctions against the Government of Sudan was advisable.”⁷¹ Claiming Sudan had “made strenuous efforts in the past few days and [had] asked that some time and space be given for solutions to be found that would avert the need for or threat of sanctions,” Pakistan did not want to “prejudice the position accorded to [it] as a neutral party trying to assist all sides.”⁷²

In sum, while there was consensus within the Security Council by July 2004 that atrocity crimes were occurring in Darfur and that the situation constituted a threat to international peace and security, coercive measures remained squarely off the table. Members did not agree on whether the government should be blamed, with some members arguing that pressuring Sudan would exacerbate rather than resolve the crisis, while African states strongly argued that the

⁶⁸ Ibid., 6.

⁶⁹ Ibid., 3.

⁷⁰ Ibid., 2–3.

⁷¹ Ibid., 10.

⁷² Ibid.

Council should defer to regional leadership. As a result, the Council could only agree on relatively limited measures—a partial arms embargo on non-state actors—and confined its role to supporting regional efforts.

6.4 A UN Atrocity Determination and the Imposition of Sanctions on Sudan

It would take nearly two years from this point for the Security Council to resort to military intervention. During this period, the Council adopted an unprecedented range of non-military measures in Darfur, while the AU brokered peace talks and established a regional peacekeeping force.⁷³ In August 2004, shortly after the adoption of Resolution 1556, the AU deployed the African Union Mission in Sudan (AMIS) to monitor a ceasefire signed in April between the Sudan government and Darfur’s two main rebel groups, marking its second-ever peacekeeping initiative.⁷⁴ The mission, however, was severely under-resourced and immediately faced challenges beyond its capabilities, particularly because the ceasefire was “more fiction than reality” and continuously breached by all parties.⁷⁵

On August 30, Kofi Annan submitted a report to the Security Council finding that Sudan had not fulfilled its obligations to comply with the ceasefire or disarm the Janjaweed, pursuant to both Resolution 1556, the July 3 joint communiqué, and the April 8 ceasefire deal.⁷⁶ In response,

⁷³ Alex De Waal, “From Darfur to Darfur: The Fall and Rise of Indifference to Mass Atrocities in Africa, *Just Security*, November 2, 2023, <https://www.justsecurity.org/89885/from-darfur-to-darfur-the-fall-and-rise-of-indifference-to-mass-atrocities-in-africa/>.

⁷⁴ The AU’s first peacekeeping mission was the African Mission in Burundi (AMIB), deployed the previous year in May 2003. See: Human Rights Watch, “Sudan: Imperatives for Immediate Change,” January 19, 2006, <https://www.hrw.org/report/2006/01/19/sudan-imperatives-immediate-change/african-union-mission-sudan>.

⁷⁵ *Ibid.*

⁷⁶ UNSC, S/2004/947, December 3, 2004, [https://docs.un.org/S/2004/947\(2004\)](https://docs.un.org/S/2004/947(2004)).

the Council adopted Resolution 1564 on September 18 requesting the establishment of an international commission of inquiry to

investigate reports of violations of international humanitarian law and human rights law in Darfur by all parties, to determine also whether or not acts of genocide have occurred, and to identify the perpetrators of such violations with a view to ensuring that those responsible are held accountable.⁷⁷

It also declared that if Sudan failed to comply with Resolutions 1564 and 1556, including fully cooperating with AMIS, the Council would “consider additional measures as contemplated under Article 41,” including targeted sanctions against the petroleum sector or individual members of the government, “in order to obtain compliance or full cooperation.”⁷⁸ The resolution passed 11–0, with Algeria, China, Pakistan, and Russia abstaining.

Statements made after the vote indicate that major disagreement persisted over whether sanctions would compel or deter Sudan’s compliance. China emphasized that “instead of helping to solve complicated problems, sanctions may make them even more complicated.”⁷⁹ It argued that the Security Council

should focus on encouraging the Sudanese Government to continue to cooperate, rather than doing the opposite. We should fully support the African Union in its mediation efforts, rather than increase its difficulties. We should help bring about an early agreement...rather than send the wrong signal and make negotiations more difficult.⁸⁰

Russia was likewise “convinced that threatening sanctions is far from the best method of inducing Khartoum to fully implement its obligations to the United Nations,”⁸¹ asserting that it was “counterproductive to link the possibility of introducing sanctions and the peacebuilding

⁷⁷ UNSC, S/RES/1554, September 18, 2004, 3–4, [https://docs.un.org/S/RES/1554\(2004\)](https://docs.un.org/S/RES/1554(2004)).

⁷⁸ *Ibid.*, 4.

⁷⁹ UNSC, S/PV.5040, September 18, 2004, 4, <https://docs.un.org/S/PV.5040>.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

efforts of the African Union,”⁸² while Algeria claimed that the resolution “does not really do justice to the Government of the Sudan” and the steps it had taken “in the right direction.”⁸³

In an unusual move, the Security Council convened from November 18 to 19 in Nairobi (rather than in New York) to discuss the situation and press all parties to reach a peace deal.⁸⁴ During the meeting, Annan said of Darfur: “when crimes on such a scale are being committed, and when a sovereign State appears unable or unwilling to protect its own citizens, a grave responsibility falls on the international community, and specifically on the Security Council.”⁸⁵ This was his most direct statement yet advocating for the Council to play a larger role in Darfur, though he did not say what exactly that “responsibility” entailed—a question states had just begun negotiating ahead of the 2005 World Summit.

Two months later, on January 25, 2005, the Darfur COI released its highly anticipated report to Annan. While the 189-page report concluded the Sudanese government “ha[d] not pursued a policy of genocide,”⁸⁶ it asserted that the alleged crimes it had documented met “all the thresholds”⁸⁷ of the Rome Statute, “strongly recommend[ing]”⁸⁸ that the Security Council refer Darfur to the ICC. Crucially, while the report acknowledged that the individuals identified as possibly responsible included “officials of the Government of the Sudan, members of militia forces, members of rebel groups,”⁸⁹ it stressed that the majority were state officials or members of the Janjaweed.⁹⁰

⁸² Ibid.

⁸³ Ibid., 3.

⁸⁴ UN Press, “Speakers at Nairobi Security Council Meeting Call for Peace Agreement in Sudan by End of Year,” November 18, 2004, <https://press.un.org/en/2004/sc8247.doc.htm>.

⁸⁵ UNSC, S/PV.5080, November 18, 2004, 4, [https://docs.un.org/S/PV.5080\(2004\)](https://docs.un.org/S/PV.5080(2004)).

⁸⁶ UNSC, S/2005/60, February 1, 2005, 4, <https://docs.un.org/S/2005/60>.

⁸⁷ Ibid., 174.

⁸⁸ Ibid., 5.

⁸⁹ Ibid., 5.

⁹⁰ Ibid., 146.

After discussing the report during closed consultations in mid-February, the Security Council adopted a rapid series of resolutions in March authorizing an unprecedented range of measures. As Alex De Waal puts it: “[t]he international response to Darfur might have been glacially slow to get moving, but once in motion, it looked like an unstoppable force crushing all in its path.”⁹¹ On March 24, the Council unanimously adopted Resolution 1590, establishing the UN Mission in Sudan (UNMIS) to support the implementation of the Comprehensive Peace Agreement (CPA), the most recent ceasefire deal signed in January.⁹² (After signing the CPA, Sudan had invited the UN to help implement the agreement, including by deploying a peacekeeping force.) Just five days later, the Council adopted Resolution 1591, imposing a travel ban and asset freezes against those who “commit violations of international humanitarian or human rights law or other atrocities.”⁹³ The resolution passed 12–0, with Algeria, China, and Russia abstaining. Finally, on March 31, the Council adopted Resolution 1593 10–0 “taking note of the [Darfur COI] report”⁹⁴ and referring Sudan to the ICC, the Council’s first ever referral to the court. Algeria, Brazil, China, and the United States abstained.

Statements following the vote on Resolution 1590 suggest that it passed unanimously precisely because it did *not* grant UNMIS a robust POC mandate.⁹⁵ Peacekeeping was being used as a consensual tool to support Sudan’s peace process, rather than as a coercive tool to protect civilians through the use of force. However, consensus fractured from that point onward. Some states remained opposed to sanctioning Sudan, and therefore abstained on Resolution 1591. China, for example, argued that the Security Council should “seize [the] positive momentum”

⁹¹ De Waal, “From Darfur to Darfur.”

⁹² UNSC, S/RES/1590, March 24, 2005, [https://docs.un.org/S/RES/1590\(2005\)](https://docs.un.org/S/RES/1590(2005)).

⁹³ UNSC, S/RES/1591, March 29, 2005, 4, [https://docs.un.org/S/RES/1591\(2005\)](https://docs.un.org/S/RES/1591(2005)).

⁹⁴ UNSC, S/RES/1593, March 31, 2005, 1, [https://docs.un.org/S/RES/1593\(2005\)](https://docs.un.org/S/RES/1593(2005)).

⁹⁵ UNSC, S/PV.5151, March 24, 2005, <https://docs.un.org/S/PV.5151>.

behind Resolution 1590 and urge all parties to “resume political dialogue without conditions.”⁹⁶ While it acknowledged the need to maintain “appropriate pressure,” China warned that “maintaining pressure without regard for the complexity of the issue and the specific circumstances of the Darfur crisis could end up further complicating the situation.”⁹⁷ The “African Union [had] expressed a clear view on this,” it stressed, “which should be taken into full consideration by the Security Council.”⁹⁸

Along similar lines, Russia argued the task before the Security Council was to “ensure a cessation of this humanitarian tragedy without simultaneously doing anything detrimental to the process of peacefully settling the situation in the Sudan.”⁹⁹ “The potential of political and diplomatic measures to defuse the conflict in Darfur,” it claimed, “has by no means been exhausted.”¹⁰⁰ Russia also expressed “serious doubts as to the [Council’s] practical ability to implement the sanctions regime,” noting that “both the African Union and the League of Arab States have unequivocally opposed the unfounded strengthening of sanctions pressure in the Darfur context.”¹⁰¹

Finally, Algeria, like China and Russia, had supported the “consensus within the [Security] Council on the need to send a strong message to the parties to cause them to respect their commitments,” but expressed “doubts concerning the relevance and usefulness of certain measures” and the “negative impact they might have on the north-south peace process.”¹⁰² Algeria argued the resolution did not consider that “the level of violence had dropped significantly in the past few weeks,” which it viewed as the “early signs of a trend...[of] both

⁹⁶ UNSC, S/PV.5153, March 29, 2005, 5, <https://docs.un.org/S/PV.5153>.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ Ibid., 4.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² Ibid., 3.

parties respecting the ceasefire.”¹⁰³ For these reasons, and in support of “the African Union’s approach to a peaceful settlement of the crisis,”¹⁰⁴ it abstained.

Remarkably, then, the Security Council imposed sanctions on Sudan against the wishes of the AU and the League of Arab States. For doing so, Sudan’s ambassador to the UN lambasted its members, stating, “[t]he Council talks about support for the African Union. Yet once again it has adopted a resolution that complicates the situation for the African Union.”¹⁰⁵ Sudan insisted that AU “was the only body that can deal with Darfur” and that the resolution “goes against the position of Africa” (notwithstanding that two African states had voted in favor of it), claiming it was “a resolution of the United States Congress” reflecting a “mentality that looks at other cultures in a different way.”¹⁰⁶ He concluded: “The Council decided to ignore that position because African culture has no meaning and the African way to solve problems is not important. Indeed, other cultures come here to tell us what we have to do.”¹⁰⁷

Given that no other member offered a statement besides Tanzania—as well as the United States to briefly defend itself—determining states’ motives for imposing sanctions despite regional opposition is difficult. However, statements made after the vote on Resolution 1593 offer at a clue: the release of the Darfur COI’s findings pressured the Security Council to escalate its response. Denmark, for example, lamented, “it has been two months since the Security Council received the report of the International Commission of Inquiry regarding the ongoing atrocities in Darfur,” noting that the resolution “will bring an internationally recognized follow-up to the reported crimes in Darfur.”¹⁰⁸ The Philippines likewise stressed:

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid., 6.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ UNSC, S/PV.5158, March 31, 2005, 6, <https://docs.un.org/S/PV.5158>.

Any further impasse — any further inaction — on the part of the Council, two months after the report of the Commission of Inquiry, would have reduced this august body to a nadir of irrelevance with regard to ending impunity and responding to the protection of human rights and humanitarian law. It would have been a simple case of copping out.¹⁰⁹

Similarly, France stated that “the reports that the Secretary-General has been submitting every month to the Council have provided a detailed picture of [the] atrocities [in Darfur],” declaring that the Council was “duty bound”¹¹⁰ to act—one of the first uses of the language of responsibility in Council discussions on Darfur.

Sudan, then, followed the same core pathway to sanctions as in Côte d’Ivoire and Libya: large-scale violence against civilians escalated during armed conflict, with senior UN officials characterizing the violence atrocity crimes, and, eventually, a UN investigation clearly identifying state actors as the main perpetrators. Together, these conditions led to the recognition of the situation in Darfur as a threat to international peace and security. In Sudan, however, the process unfolded more slowly and met greater resistance, largely due to geopolitics and Khartoum’s alliances. During this period, Omar al-Bashir benefited from far greater regional protection than either Laurent Gbagbo or Muammar Qaddafi: he was backed by both Arab states and the AU, which, at this stage, remained staunchly committed to the state sovereignty norm. Moreover, Sudan maintained diplomatic and economic ties with China, a veto-wielding P5 member.

While Sudan’s ties with China did not preclude Security Council action, it raised the bar for achieving consensus. Thus, although Security Council members agreed that the violence in Darfur met the threshold of atrocity crimes, the support (or at least abstention) of cautious members for concrete action hinged on the Darfur COI’s identification of government officials

¹⁰⁹ Ibid.

¹¹⁰ Ibid., 8.

and Janjaweed members as responsible. Once a UN investigation confirmed the responsibility of state actors for the violence, closing space for contestation over the facts, the process advanced: pressure mounted on the Council to escalate its response, shifting previously reluctant members in favor of action.

6.5 Resolution 1706: Al-Bashir's Obstinace and the AU's Endorsement of a UN Peacekeeping Mission

By July 2005, three months after the Security Council ratcheted up the pressure on Sudan, the government initially appeared to change course.¹¹¹ In a July 18 report to the Council, Kofi Annan concluded that in certain respects, the “security situation in Darfur [had] improved,” due to the presence of AMIS and “pressure from the international community.”¹¹² However, conditions in Darfur deteriorated again over the summer, prompting the Security Council to adopt a presidential statement in October expressing “grave concern at recent reports of an upsurge of violence in Darfur by all sides.”¹¹³

At this stage, *Security Council Report* noted in its first ever report on Darfur, the Security Council faced three major challenges.¹¹⁴ First, the measures it already imposed were not having “the desired effect of deterring violence and providing parties with incentives to negotiate a peace settlement.”¹¹⁵ Second, the resource and funding constraints AMIS faced were “raising questions about the [Council's] strategy of relying on regional organizations.”¹¹⁶ Third, the

¹¹¹ Ugarte, “Sudan,” 351.

¹¹² UNSC, S/2005/467, July 18, 2005, <https://docs.un.org/S/2005/467>.

¹¹³ UNSC, PRST/2005/48, October 13, 2005, <https://docs.un.org/PRST/2005/48>.

¹¹⁴ Security Council Report, “November 2005 Monthly Forecast: Darfur,” October 28, 2005, https://www.securitycouncilreport.org/monthly-forecast/2005-11/lookup_c_glkwlemtisg_b_1138997.php.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

failure of the sanctions committee to agree on guidelines for enforcing Resolution 1591 had “rendered the sanctions strategy ineffective.”¹¹⁷ The report described “considerable uncertainty inside the Council about what course of action to take,” especially given “the lack of substantial progress in the peace talks,” with AMIS’s limited capacity a particularly sensitive issue.¹¹⁸ Some Council members, it observed, “prefer that the UN not deal with Darfur at all,” while “others are relieved that there is a regional actor to which they can delegate the problem.”¹¹⁹ Overall, the Council was “concerned about not undercutting a budding regional peacekeeping initiative.”¹²⁰

After the seventh round of AU-led peace talks resumed in December 2005, the Security Council issued a presidential statement demanding that “all parties refrain from violence and put an end to atrocities on the ground.”¹²¹ Nonetheless, the Secretary-General soon reported a “marked deterioration in the situation,” including “an increase in the number of inter-tribal clashes” that were having “devastating effects on the civilian population.”¹²² By late December, reports surfaced that the European Union and the United States, AMIS’s largest donors, were considering cutting financial support for the mission.¹²³ The AU, meanwhile, acknowledged that AMIS funding would likely run out by March or April of the following spring.¹²⁴ As the viability of AMIS came into question, the Security Council and the AU began to explore possibilities for a joint deployment in Darfur, including the possibility of transferring or sharing AMIS’s responsibilities with UNMIS.¹²⁵

¹¹⁷ Ibid. To date, the sanctions regime authorized by the Security Council in 2004 and strengthened in 2005 has never been enforced in practice.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ UNSC, S/PRST/2005/67, December 21, 2005, <https://docs.un.org/S/PRST/2005/67>.

¹²² Ugarte, “Sudan,” 351; UNSC, S/2005/825, December 23, 2005, <https://docs.un.org/S/2005/825>, para. 39.

¹²³ Security Council Report, “January 2006 Monthly Forecast: Sudan,” https://www.securitycouncilreport.org/monthly-forecast/2006-01/lookup_c_glkwlemtisc_b_1313295.php.

¹²⁴ Ibid.

¹²⁵ Ibid.

In considering a joint deployment, *Security Council Report* observed, a key challenge would be negotiating the “complex technical issues relating to mandates, command and control, application of generic UN peacekeeping principles and not least funding.”¹²⁶ Positions within Security Council were “still evolving,” but a “sense of urgency [was] added by the deteriorating situation and by the fact that the Secretariat would need several months before it could generate forces for a large operation in Darfur.”¹²⁷ Council members, the report noted, would remain sensitive to the AU’s signals, “since great political capital was invested by the AU in its initiatives as a mediator and as a peacekeeper in the region.”¹²⁸ However, Sudan’s concerns were expected to be “be much less influential than in the past,” as “AU members [had] seen the difficult experience AMIS has encountered in Darfur and [were] likely to be less supportive.”¹²⁹ Council dynamics were also expected to shift with “the departure of Algeria, Sudan’s closest ally on the Council during the entire period in which it has been seized of Darfur.”¹³⁰

Still, given the “extremely politically sensitive”¹³¹ nature of the situation, the Security Council was looking for “some indication that the AU would be ready to support an increased international presence in Darfur.”¹³² The following month, that condition was met. On January 12, 2006, the AU Peace and Security Council (AU PSC) convened to discuss the report of a joint UN–AU assessment mission that had visited Darfur in December, with Kofi Annan in attendance. By this point, not only had the United States and the EU had privately signaled that AMIS was financially unsustainable, but Annan and the AU Commission Chairman had begun

¹²⁶ Ibid.

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Ibid.

¹³² Security Council Report, “Update Report No. 3: Sudan/Darfur,” January 13, 2005, https://www.securitycouncilreport.org/update-report/lookup_c_glkwlemtisg_b_1352475.php.

publicly discussing the need for UN involvement in Darfur.¹³³ That same day, the AU PSC issued a statement that it “agreed in principle”¹³⁴ to a transition from an AU to a UN operation “within the framework of the partnership between the AU and the United Nations,”¹³⁵ the first expression of regional support for an international presence in Darfur. Following this statement, according to *Security Council Report*, the Council began to “seriously explore options for a future UN peacekeeping role in Darfur.”¹³⁶

While discussions on a UN presence in Darfur accelerated, positions within the Security Council remained in flux.¹³⁷ Ultimately, it took six months of contentious negotiations for the body to reach a consensus. During this time, a key factor emerged that helped build momentum toward intervention: the adoption of the WSOD. In January 2006, *Security Council Report* observed that “Western and Latin American members will be under increasing pressure to live up to past commitments, particularly those made at the 2005 World Summit, regarding the responsibility to protect civilians from massive human rights abuses.”¹³⁸ While Sudan’s views would “undoubtedly have an impact on the positions of some members, China in particular,” most members now “seem[ed] reluctant to allow Khartoum to obstruct the proposal.”¹³⁹ As the AU had “had experience on the ground and appreciate[d] the true state of affairs...Sudan’s leverage ha[d] therefore diminished.”¹⁴⁰

¹³³ Ibid.

¹³⁴ African Union Peace and Security Council (AU PSC), PSC/PR/Comm.(XLV), January 12, 2006, accessed via Security Council Report, [https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Sudan%20%20PSCPRComm\(XLV\).pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Sudan%20%20PSCPRComm(XLV).pdf).

¹³⁵ Ibid.s<

¹³⁶ Security Council Report, “Update Report No. 3.”

¹³⁷ Security Council Report, “February 2006 Monthly Forecast: Sudan/Darfur,” January 27, 2006, https://www.securitycouncilreport.org/monthly-forecast/2006-02/lookup_c_glkwlemtisg_b_1387815.php.

¹³⁸ Ibid.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

On February 3, 2006, the Security Council adopted a presidential statement “taking note of the 12 January 2006 Communiqué of the Peace and Security Council (PSC)”¹⁴¹ and requesting the Secretary-General to begin planning for the transition. According to *Security Council Report*, Annan had exercised “strong personal leadership,” actively “pressing both the Council and potential troop contributors on the need to rise to the Darfur challenge,” driving AU consultations, and lobbying states to ensure that any UN force would have sufficient capacity to carry out its mandate.¹⁴² While the presidential statement signaled consensus on the need for a UN operation, divisions remained over how to proceed. United States and the United Kingdom strongly supported the transition and sought to expedite it, but most states “rejected any firm decisions in advance of the AU finalising its position.”¹⁴³

The following month, on March 10, the AU PSC adopted a decision renewing AMIS’s mandate until September 2006 and reiterating its acceptance “in principle” for AMIS to transition to a UN operation, which it transmitted to the Security Council in a communiqué.¹⁴⁴ This language was “positively interpreted by the Secretariat and Council members as an acceptance of the transition,”¹⁴⁵ with the Special Representative for Sudan “indicat[ing] that the signal from the PSC was that the final decision should be made by the Security Council.”¹⁴⁶ Two weeks later, on March 24, the Council adopted Resolution 1663, welcoming the AU’s March 10 communiqué and “its decision to support in principle”¹⁴⁷ a UN transition. According to *Security Council Report*, the resolution sent a “unanimous signal” of the body’s commitment to the

¹⁴¹ UNSC, S/PRST/2006/5, February 3, 2006, <https://docs.un.org/S/PRST/2006/5>.

¹⁴² Security Council Report, “March 2006 Monthly Forecast: Sudan,” February 24, 2006, https://www.securitycouncilreport.org/monthly-forecast/2006-03/lookup_c_glkwlemtisg_b_1439221.php.

¹⁴³ Ibid.

¹⁴⁴ UNSC, S/2006/156, March 13, 2006, <https://docs.un.org/S/2006/156>.

¹⁴⁵ Security Council Report, “Update Report No. 3: Sudan/Darfur,” March 22, 2006, https://www.securitycouncilreport.org/update-report/lookup_c_glkwlemtisg_b_1497805.php.

¹⁴⁶ Ibid.

¹⁴⁷ UNSC, S/RES/1663, March 24, 2006, 1, [https://undocs.org/S/RES/1663\(2006\)](https://undocs.org/S/RES/1663(2006)).

transition, though “some important differences remain[ed],” and there was “still some lack of clarity on how to proceed in the event a peace agreement [was] not reached [beforehand] and Khartoum oppose[d] the transition.”¹⁴⁸ While the United States continued to advocate for a swift transition, China, Russia, and Qatar remained opposed to proceeding without Khartoum’s consent.¹⁴⁹ Despite these disagreements, Resolution 1663 signaled a “fairly clear”¹⁵⁰ consensus in the Council on the need to carry the transition forward.

This consensus held through April and May, although wider questions about the transition “loom[ed] large” as the Security Council awaited an options report for a UN operation in Darfur from the Secretariat.¹⁵¹ As *Security Council Report* observed, “a lot [would] depend on whether Khartoum in practice [cooperated] quickly and efficiently with the UN.”¹⁵² In a seemingly positive step, Sudan and one faction of the SLM/A signed the Darfur Peace Agreement (DPA) on May 5.¹⁵³ Ten days later, the AU PSC issued a communiqué deciding that in light of the DPA, “concrete steps should be taken to effect the transition from AMIS to a United Nations operation.”¹⁵⁴ The following day, the Council adopted Resolution 1679, endorsing the AU’s decision and calling for the deployment of a joint UN–AU technical assessment mission to Darfur.¹⁵⁵ UN officials subsequently traveled to Khartoum and secured Sudan’s consent for a visit by the mission, paving the way for the Council to draft a resolution.¹⁵⁶

¹⁴⁸ Security Council Report, “Update Report No. 3: Sudan/Darfur.”

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Security Council Report, “April 2006 Monthly Forecast,” March 30, 2006, https://www.securitycouncilreport.org/monthly-forecast/2006-04/lookup_c_glkwlemtisg_b_1510087.php.

¹⁵² Ibid.

¹⁵³ Council on Foreign Relations, “Darfur’s Peace Process,” June 15, 2007, <https://www.cfr.org/backgrounder/darfurs-peace-process>.

¹⁵⁴ AU PSC, PSC/MIN/Comm/1(LI), May 15, 2006, accessed via <https://papsrepository.africanunion.org/server/api/core/bitstreams/ffaf5d82-6235-43b0-beeb-57e820171d8f/content>.

¹⁵⁵ UNSC, S/RES/1679, May 16, 2006, [https://docs.un.org/S/RES/1679\(2006\)](https://docs.un.org/S/RES/1679(2006)).

¹⁵⁶ Security Council Report, “June 2006 Monthly Forecast: Darfur/Sudan,” https://www.securitycouncilreport.org/monthly-forecast/2006-06/lookup_c_glkwlemtisg_b_1714861.php.

According to *Security Council Report*, there was a “growing sense of urgency in the minds of some Council members (particularly the US)...as well as a feeling that acting decisively and in a timely manner in the aftermath of the long awaited peace accord is essential to maintain the Council’s credibility.”¹⁵⁷

While the Security Council awaited the assessment mission’s report, it remained “unclear what Council action [would] emerge, particularly since Khartoum continue[d] to refuse to agree to the transition.”¹⁵⁸ Members “seem[ed] to hope that a solution to the impasse [would] be found at the AU Summit,” but if this failed, “an idea seem[ed] to be emerging that firm Council action [would] be required.”¹⁵⁹ The possibility of a nonconsensual deployment appeared increasingly likely in June, after high-level AU-led talks failed to secure Sudan’s consent. Khartoum had sent “numerous mixed signals,” ranging from “hints at a possibility of eventual consent to outright refusal.”¹⁶⁰

By late July, the Council had still not received consent for the transition, despite “clear evidence”¹⁶¹ of worsening conditions in Darfur. At this point, *Security Council Report* noted, the challenge facing the Council was “whether (and when) to address the question of what to do to give effect to the ‘responsibility to protect’ principle if...Khartoum [stalled] indefinitely.”¹⁶² Consensus on the need for a UN transition “seem[ed] to be holding,” and “the general mood [was] one of quiet optimism that Khartoum [would] eventually be brought around.”¹⁶³ Meanwhile, on July 28, Kofi Annan submitted a report to the Security Council making

¹⁵⁷ Ibid.

¹⁵⁸ Security Council Report, “July 2006 Monthly Forecast: Darfur/Sudan,” https://www.securitycouncilreport.org/monthly-forecast/2006-07/lookup_c_glkwlemtisg_b_1816667.php.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Security Council Report, “August 2006 Monthly Forecast: Darfur/Sudan,” https://www.securitycouncilreport.org/monthly-forecast/2006-08/lookup_c_glkwlemtisg_b_1982457.php.

¹⁶² Ibid.

¹⁶³ Ibid.

recommendations on a UN peacekeeping presence in Darfur based on the assessment of the joint UN–AU mission. He proposed, “subject to the consent of the Government of the Sudan,” an “expansion of the unified United Nations Mission in the Sudan into the Darfur region as from 1 January 2007, with the protection of civilians as its ‘abiding priority’.”¹⁶⁴

Divisions persisted throughout August over whether to deploy UNMIS to Darfur without Sudan’s consent, with some states arguing that the move would be premature, others holding that the clarifying mandate would encourage the government’s consent, and a third camp arguing that approving the deployment quickly was crucial to signal concern about the worsening situation.¹⁶⁵ Amid these debates, the United Kingdom circulated a draft resolution in mid-August that would authorize the transition and expand UNMIS’s mandate to Darfur, in order “to allow room for quiet diplomacy among the P5...with the involvement of African members, so that some degree of unity among permanent members [could] be achieved.”¹⁶⁶

On August 31, a month before AMIS’s mandate was set to expire, the Security Council adopted Resolution 1706.¹⁶⁷ The preamble recalled “resolution 1674 (2006) on the protection of civilians in armed conflict,” which “reaffirm[ed] the provisions of paragraphs 138 and 139 of the 2005 United Nations World Summit outcome document,” as well as the “decision of the African Union Peace and Security Council of 10 March 2006.”¹⁶⁸ Reiterating “its strong condemnation of all violations of human rights and international humanitarian law in Darfur,” the Security Council “determin[ed] that the situation in Sudan continue[d] to constitute a threat to international peace and security.”¹⁶⁹

¹⁶⁴ UNSC, *Report of the Secretary-General on Darfur*, S/2006/591, July 26, 2006, <https://undocs.org/S/2006/591>.

¹⁶⁵ Security Council Report, “Update Report No. 2: Sudan/Darfur,” August 16, 2006, https://www.securitycouncilreport.org/update-report/lookup_c_glkwlemisg_b_2019131.php.

¹⁶⁶ *Ibid.*

¹⁶⁷ UNSC, S/RES/1706, August 31, 2006, [https://undocs.org/S/RES/1706\(2006\)](https://undocs.org/S/RES/1706(2006)).

¹⁶⁸ *Ibid.*, 1.

¹⁶⁹ *Ibid.*, 2.

“Acting under Chapter VII of the Charter of the United Nations,”¹⁷⁰ the operative clauses expanded UNMIS’s mandate considerably, including its size, area of deployment, and authorization to use force. The Security Council decided that UNMIS was “authorized to use all necessary means...to protect civilians under threat of physical violence” and that it “shall deploy to Darfur,” “invi[ting] the consent of the Government of National Unity for this deployment.”¹⁷¹ It specifically authorized the deployment of “up to 17,300 military personnel”—a 7,000 troop expansion from Resolution 1590—“urg[ing] Member States to provide the capability for an expeditious deployment” and “[r]equest[ing] the Secretary-General to arrange the rapid deployment of additional capabilities for UNMIS, in order that it may deploy in Darfur.” Resolution 1706 passed 12–0, with China, Russia, and Qatar abstaining.

Statements after the vote show that every Security Council member that supported Resolution 1706 invoked their “responsibility” to protect civilians from atrocity crimes, whether out of a genuine normative commitment, an interest in complying with R2P, or a combination of these motives. For instance, the United States declared: “it is imperative that [the Security Council] move immediately to implement [the resolution] fully to stop the tragic events unfolding in Darfur. Every day [the Council delays will only add] to the suffering of the Sudanese people and [extend] the genocide.”¹⁷² By “[setting] the foundation for an effective multidimensional international force,” the Council “has upheld its responsibility and adopted a strong resolution which offers the best hope to bolster the Darfur Peace Agreement and end the tragedy [it is] witnessing in Darfur.”¹⁷³ Similarly, the United Kingdom stated that the “test before the Council today was whether it was prepared to act to mandate that United Nations mission and

¹⁷⁰ Ibid., 6.

¹⁷¹ Ibid., 3.

¹⁷² UNSC, S/PV.5519, August 31, 2006, 2, <https://docs.un.org/S/PV.5519>.

¹⁷³ Ibid.

assume its responsibilities towards the people of Darfur.”¹⁷⁴ “The adoption of the resolution,” it asserted, “shows that it is,” by “giv[ing] the United Nations force in Darfur a clear Chapter VII mandate to use all necessary means to protect civilians.”¹⁷⁵ It was “pleased that this [was] the first Security Council resolution mandating a United Nations peacekeeping operation to make an explicit reference to this responsibility,”¹⁷⁶ given that, while Sudan had a primary responsibility to protect its citizens, “it manifestly ha[d] not done so.”¹⁷⁷

In Japan’s view, given the “enormous humanitarian disasters and atrocities affecting millions of people” in Darfur, “the time [was] long overdue for the international community to take resolute action.”¹⁷⁸ Greece voted for the resolution “because it believe[d] that, given the deteriorating humanitarian and security situation in Darfur, the Security Council had to shoulder its responsibilities and act swiftly...to stop human suffering,”¹⁷⁹ Argentina “believe[d] that the Security Council [could not] shirk its responsibility to protect...vulnerable groups,”¹⁸⁰ and Slovakia was “convinced that the situation on the ground in Darfur require[d] quick and robust action by the international community to stop an upsurge in violence against civilians.”¹⁸¹ The Security Council, it stressed, “ha[d] the moral duty and responsibility to act without delay to prevent an escalation of the crisis.”¹⁸²

Notably, Ghana asserted that, “by voting in favour of the resolution, [the Security Council had] fulfilled a duty to the suffering victims of war in Darfur and, indeed, to all of

¹⁷⁴ Ibid., 3.

¹⁷⁵ Ibid.

¹⁷⁶ Ibid., 2.

¹⁷⁷ Ibid., 4.

¹⁷⁸ Ibid., 6.

¹⁷⁹ Ibid., 8.

¹⁸⁰ Ibid., 9.

¹⁸¹ Ibid., 8.

¹⁸² Ibid.

Africa.”¹⁸³ In Ghana’s view, its vote, particularly as a founding member of the AU, “reaffirm[ed] one of the cardinal principles enshrined in article 4(h) of the Constitutive Act of the African Union, which recognizes the right of the Union to intervene in a member State in respect of grave circumstances, namely war crimes, genocide and crimes against humanity.”¹⁸⁴ Clearly, the situation in the Sudan “merit[ed] some form of international engagement that is timely, meaningful, well-coordinated and effective.”¹⁸⁵ “In adopting that principle,” Ghana stressed, African member states had assumed the “responsibility to protect the victims of war on the continent.”¹⁸⁶ Tanzania similarly emphasized that “the African Union has taken more than its fair share of the obligation and responsibility in the search for a peaceful political solution,”¹⁸⁷ noting that by its own admission, the AU was “overwhelmed and overstretched by the magnitude and complexity of the task of restoring peace to Darfur.”¹⁸⁸ “Without the [AU] abdicating its responsibility,” it was “right and proper, that the rest of the international community, through the United Nations, should assume joint responsibility to help”¹⁸⁹ resolve the Darfur crisis.

Among the three states that abstained, their disagreement was not over whether the UN should step in, but rather the timing of the deployment and the question of consent. China, for example, had “principled reservations on the timing of the vote and on the text itself.”¹⁹⁰ It emphasized that it had “consistently urged the sponsors to clearly include ‘with the consent of the Government of National Unity’ in the text of the resolution’,” rather than the language of “inviting” consent, as well as to reconsider the timing of the vote, lest it “trigger further

¹⁸³ Ibid., 10.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ Ibid., 9.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid., 5.

misunderstanding and confrontation.”¹⁹¹ Similarly, Qatar felt that “more efforts should have been made on the political front to prepare the ground for Sudan’s voluntary consent”¹⁹² to deploy UNMIS to Darfur, and that consent should be “voluntary”¹⁹³ rather than coerced. Russia likewise stated that it had decided to abstain “[p]ending the receipt of [Sudan’s] consent”¹⁹⁴ for the deployment of a UN mission, “although [it had] no objections in principle to its content.”¹⁹⁵

Notably, Denmark argued against this reasoning, stating: “the fact that the Government of the Sudan has not yet given its consent could not...be a reason to postpone the adoption of [the resolution],” as “that would have meant delaying the very necessary support to AMIS, which can potentially save lives in Darfur.”¹⁹⁶ Ghana also had “reservations about the inclusion in the draft text of explicit language that implies that the Government of the Sudan can take all the time it wants before allowing the United Nations to deploy in Darfur, or even refuse to do so, regardless of the cost in human lives.”¹⁹⁷ In other words, it was concerned that *allowing* Sudan to withhold consent could come at the expense of saving lives.

These statements indicate that protecting civilians from atrocity crimes was the primary justification advanced by states for supporting Resolution 1706, with many explicitly invoking the responsibility to protect—suggesting that R2P played a significant role in influencing their decisions. Even states concerned about the lack of consent felt compelled to act and ultimately allowed the resolution to pass. China, for instance, acknowledged that “[t]he Darfur issue has attracted world attention”¹⁹⁸ and agreed that the Security Council must “take the necessary

¹⁹¹ Ibid.

¹⁹² Ibid., 6.

¹⁹³ Ibid.

¹⁹⁴ Ibid., 9.

¹⁹⁵ Ibid.

¹⁹⁶ Ibid., 10.

¹⁹⁷ Ibid.

¹⁹⁸ Ibid., 4.

decision at an early date, so as to effectively fulfil the responsibilities set forth in the United Nations Charter.”¹⁹⁹ Similarly, Qatar stated that “[t]he Council has been seized with questions of extreme importance to humankind” and that it had adopted the resolution “having listened to [its] conscience.”²⁰⁰

At the same time, protecting civilians was not the only justification for intervention. Resolution 1706 also highlighted the Security Council’s “concern that the ongoing violence in Darfur might further negatively affect the rest of the Sudan as well as the region, in particular Chad and the Central African Republic,” stressing that “regional security aspects must be addressed.”²⁰¹ After the vote, many states explicitly cited the impact of the crisis on regional stability as a justification for their support. Japan, for instance, argued that the international community needed to act not only because of the atrocities in Darfur, but also because of “their implications for peace and security in the entire subregion.”²⁰² France similarly emphasized it was important “to continue to address the Darfur crisis in its regional dimension,” given that in recent months, the Council had “seen all the repercussions that it could have on the stability of neighbouring countries, particularly Chad and the Central African Republic.”²⁰³ Slovakia warned that a further escalation of the crisis would have dire consequences not only for Darfur, “but for the entire region,”²⁰⁴ stressing that the Council had a “responsibility to act”²⁰⁵ accordingly. Likewise, Tanzania asserted that Darfur was an international responsibility not only because atrocities were being committed, but also “because of its profound ramifications with respect to

¹⁹⁹ Ibid., 5.

²⁰⁰ Ibid., 6.

²⁰¹ S/RES/1706, 2.

²⁰² S/PV.5519, 6.

²⁰³ Ibid., 8.

²⁰⁴ Ibid.

²⁰⁵ Ibid.

international peace and security in the region of Africa,”²⁰⁶ while Argentina stressed that “instability [in Darfur] affects not only [Sudan] but the entire region.”²⁰⁷

As in Côte d’Ivoire, these statements do not undermine the role of R2P in motivating the decision to authorize Resolution 1706, but rather complement it and suggest that interventions in atrocity situations are almost always driven by multiple motives, both normative and strategic. Given that mass atrocities were occurring within the context of a protracted armed conflict, citing the need to prevent broader regional instability is consistent with Security Council practice for identifying threats to international peace and security.

Still, the timing of Resolution 1975 indicates that neither the escalation of violence against civilians nor of cross-border effects was the decisive trigger for its authorization. Rather, the decision to intervene hinged on the AU’s endorsement for transitioning AMIS to a UN peacekeeping force, along with the expiry date of AMIS’s mandate. The Security Council went to considerable lengths to stress the AU’s leadership role in crisis management, “[c]ommending the efforts of the African Union for the successful deployment of the African Union Mission in the Sudan (AMIS)”²⁰⁸ and highlighting “AMIS’ role in reducing large-scale organized violence in Darfur.”²⁰⁹ The resolution also explicitly “recall[ed] the decision of the African Union Peace and Security Council of 10 March 2006, and its decision of 27 June 2006,” both of which endorsed a (consensual) transition, and stressed that “AMIS needs urgent reinforcing”²¹⁰ to fulfill its mandate, including the protection of civilians.

²⁰⁶ Ibid., 9.

²⁰⁷ Ibid., 10.

²⁰⁸ S/RES/1706, 1.

²⁰⁹ Ibid., 2.

²¹⁰ Ibid.

In statements following the vote, many Security Council members underscored the AU's request for reinforcement. The United Kingdom, for example, praised AMIS, "which stepped in to Darfur when the United Nations asked it to, and which has done an extremely good job in exceptionally difficult circumstances," though it was now "struggling to cope, "so much so that the African Union has called for transition to a United Nations operation."²¹¹ Resolution 1706, it stressed, "responds to that call."²¹² France similarly emphasized that the Security Council "had to respond to the request made to it by the African Union"—"and, of course," it added, "to the urgency of the situation in Darfur."²¹³ Denmark echoed these views, stressing that the resolution's "dual-track" approach, providing immediate support for AMIS while simultaneously preparing for a UN takeover, "corresponds to the wishes of the African Union and gives all parties a sound basis on which to plan."²¹⁴

Significantly, the relative strength of Sudan's military compared to UN forces did not appear to deter Security Council members from authorizing the deployment. At the time, the feasibility and effectiveness of deploying UN forces to Darfur to protect civilians from attacks by government and Janjaweed forces was debatable. To be sure, Sudan's military was not formidable. While on paper, it comprised an estimated 100,000 personnel—supported by 17,500 paramilitary troops and small air force and navy—its actual capabilities were more limited.²¹⁵ Like Muammar Qaddafi, al-Bashir had repeatedly purged its professional officer corps during the 1990s to "coup proof" the military and align it with his Islamist ideology, gradually eroding

²¹¹ S/PV.5519, 2.

²¹² Ibid.

²¹³ Ibid., 7.

²¹⁴ Ibid., 10.

²¹⁵ GlobalSecurity, "Sudan Army," <https://www.globalsecurity.org/military/world/sudan/personnel.htm>; United States Department of State (US DOS), "Background Note: Sudan," 2009–2017, <https://2009-2017.state.gov/outofdate/bgn/sudan/50246.htm>.

its command structure and fighting capabilities.²¹⁶ Sudan even acknowledged it could not effectively combat rebel groups without relying on proxy-militias.²¹⁷ Meanwhile, the country's forces had been historically constrained by limited and outdated equipment, as well as "logistics and maintenance deficiencies."²¹⁸

Still, UNMIS did not have a decisive military advantage over Sudanese forces, unlike UNOCI and French forces in Côte d'Ivoire or NATO in Libya. In many ways, the mission was an early experiment in using peacekeeping as a tool to protect civilians from the threat of physical violence. UNMIS was one of the first few peacekeeping missions ever granted a POC mandate (following peacekeepers in Liberia and the Democratic Republic of the Congo), and faced major implementation challenges, including resource constraints and poor training and coordination.²¹⁹ It had no powerful external military partner (like France or NATO), and faced the herculean task of operating in a vast, remote terrain, rather than dense urban theaters like Abidjan or Benghazi.²²⁰ Together, these conditions made the task of protecting civilians from atrocity crimes highly challenging to implement. That the Security Council nonetheless authorized the deployment suggests the presence of rapid response capabilities and weakness of the target state do not always clearly enable decisions to intervene, and that at times, normative pressure or strategic incentives to act can outweigh concerns about feasibility.

²¹⁶ US DOS, "Background Note: Sudan"; Washington Report on Middle East Affairs, "Fundamentalist' Military Junta Pushing Sudan to Catastrophe," August 12, 1991, <https://www.wrmea.org/1991-august-september/fundamentalist-military-junta-pushing-sudan-to-catastrophe.html>.

²¹⁷ US DOS, "Background Note: Sudan."

²¹⁸ Ibid.; United States Central Intelligence Agency, *Sudan: Capabilities and Loyalties of the Military*, CIA-RDP83S00854R000200170003-4, December 2011 (sanitized copy released February 7, 2011), <https://www.cia.gov/readingroom/docs/CIA-RDP83S00854R000200170003-4.pdf>.

²¹⁹ Nahuel Arenas-García, *The UNMIS in South Sudan: Challenges & Dilemmas*, Document no. 5, Institute of Studies on Conflicts and Humanitarian Action (IECAH), July 2010.

²²⁰ Security Council Report, "June 2006 Monthly Forecast – Darfur/Sudan Overview," May 26, 2006, https://www.securitycouncilreport.org/monthly-forecast/2006-06/lookup_c_glkwlemtisg_b_1714861.php; Security Council Report, "August 2006 Monthly Forecast – Darfur/Sudan Overview," July 28, 2006, https://www.securitycouncilreport.org/monthly-forecast/2006-08/lookup_c_glkwlemtisg_b_1982457.php.

6.6 Conclusion

Resolution 1706 marked the first time the Security Council authorized a UN peacekeeping mission to deploy within a host state to protect civilians from atrocity crimes without the government's consent. It was also the first—and, until Resolution 1970 on Libya in February 2011, the only—country-specific resolution to reference R2P, and remains the sole Security Council resolution to explicitly invoke paragraphs 138 and 139 of the WSOD.²²¹ This chapter has shown that Sudan experienced all three trigger events for coercive intervention, though these manifested differently than in Côte d'Ivoire or Libya.

First, large-scale violence against civilians in Darfur escalated in 2003 amid an armed conflict between Sudan's government and non-Arab rebel groups. As reports of the violence emerged from UN agencies and NGOs, senior UN officials—including the Under-Secretary-General for Humanitarian Affairs, Sudan Coordinator, and High Commissioner for Human Rights—characterized the violence as potential crimes throughout 2004, with a UN investigation concluding that government and Janjaweed forces had committed atrocity crimes in 2005. Following two years of unsuccessful peacekeeping efforts, and amid funding shortages, the AU endorsed transitioning AMIS to a UN operation in 2006, prompting serious discussions within the Security Council about expanding UNMIS's mandate to Darfur. In August 2006, a month before AMIS's mandate was set to expire, the Council adopted Resolution 1796, authorizing UNMIS to deploy to Darfur and use “all necessary means” to protect civilians while increasing the troop ceiling by 7,000—without obtaining Sudan's consent.

²²¹ See: Global Centre for the Responsibility to Protect, “UN Security Council Resolutions and Presidential Statements Referencing R2P,” last updated May 30, 2025, <https://www.globalr2p.org/resources/un-security-council-resolutions-and-presidential-statements-referencing-r2p/>.

The underlying conditions required for authorization gradually aligned in Sudan, though over a longer period than observed in Côte d'Ivoire and Libya. With a strong alliance network and economics ties to China, Sudan was initially shielded both within the Security Council and the AU. However, it eventually lost this backing amid mounting pressure on the Council, a funding shortage threatening AMIS's ability to operate, and al-Bashir's erratic and often obstructionist approach to negotiating. Likewise, the Council eventually recognized Darfur as a threat to international peace and security, though only after a year of sustained international advocacy from UN officials, member states, and INGOs. Ultimately, the AU's endorsement of a transition to a UN operation generated the necessary consensus to seriously explore options for a UN deployment.

Following months of volatile negotiations, R2P appeared to play a significant role in leading to the authorization of Resolution 1706—both despite and because of Sudan's refusal to provide consent. Security Council members overwhelmingly cited the need to protect civilians and save lives as a justification for intervening absent state consent, with many explicitly invoking the norm. This rationale appeared to sway cautious states to allow the resolution to pass, whether out of an overriding normative commitment to protection civilians or because of a strategic interest in conformity. Notably, the foreseeable challenges UNMIS would face in carrying out a POC mandate in Darfur did not feature prominently in debates, suggesting that the Council, under pressure to act decisively, may authorize intervention even when international forces lack a clear military advantage.

The case of Sudan illustrates that the same core conditions can account for decisions to authorize enforcement measures in atrocity situations, even when the Security Council responds to different crises in markedly different ways. At the same time, it shows how contextual factors

influence the precise form these conditions take and the timing of their emergence, thereby accelerating or slowing down the decision-making process. Sudan also reveals that the theorized enabling factors are not always required for intervention and may exert varying degrees of influence on Council action across cases. In this regard, the theory advanced, by focusing on high-level conditions, can accommodate the complexity of how atrocity situations unfold, as well as the variability of political, material, and institutional dynamics across regions and over time. By allowing for contextual variation in *how* these conditions arise, it helps to explain how the same outcome can arise in diverse scenarios.

Part III

Negative Cases

Chapter 7

Syria

“It is the Syrian people who will be the greatest victims, and their deaths will be the consequence of not only the acts of killers on the ground but also your inability to bridge the divisions between you. History is a sombre judge – and it will judge us all harshly if we prove incapable of taking the right path today.”

– Kofi Annan, 2012

The previous section of the thesis examined three positive cases of Security Council intervention in atrocity crimes to show how the theorized mechanism functions under “normal,” favorable conditions: when the necessary conditions are in place, and contextual factors facilitate intervention. The third and final section turns to negative cases to illustrate how the absence of one or several necessary conditions can undermine the causal process, as well as how absent or weak enabling conditions constrain efforts to generate momentum behind deliberation and action. I specifically examine two “paradigmatic” negative cases—Syria (2011) and Myanmar (2017)—which, despite varying in geography, timing, and the contextual dynamics of violence, can be explained by the same set of conditions. Additionally, I analyze one “diverse” negative case—Kenya (2008)—to demonstrate the theory’s ability to explain different pathways to non-occurrence.

This chapter begins with a study of one of the most infamous cases of Security Council inaction: Syria. Two days before the Security Council adopted Resolution 1973 in Libya in March 2011, violence erupted in neighboring Syria that rapidly escalated into one of the most protracted and deadly civil wars of the twenty-first century. In stark contrast to its actions in Côte d’Ivoire and Libya—or eventually Sudan—the Security Council did not intervene in response to

large-scale, systematic violence perpetrated by the Syrian government against its citizens. Though some Western states pushed for sanctions in 2011, China and Russia vetoed a draft resolution in October, preventing a collective response.

This chapter analyzes why the Security Council failed to act in the early stages of the Syrian crisis, arguing that the conditions differed significantly from the positive cases previously examined, due largely—but not exclusively—to controversy surrounding the implementation of Resolution 1973 in Libya. Most critically, Syria did not meet a key permissive condition for intervention: the absence of alignment between a P5 member and the perpetrator state. Unlike the governments of Côte d'Ivoire, Libya, or Sudan, Syria enjoyed close, longstanding bilateral relations with a P5 state—Russia—which was a major arms supplier of the Assad regime and maintained a naval base on the Syrian coast. Crucially, NATO's extended military campaign in Libya, which led to Muammar Qaddafi's ouster and death in October 2011, hardened Russian opposition to any similar Western involvement in Syria.

Russia's alignment with Syria, combined with unfavorable contextual conditions, stunted nearly every necessary condition for coercive intervention. While the first “trigger” event—large-scale wartime violence against civilians—did occur, Russia exploited the internet and media clampdown in Syria to undermine reports of abuses by state security forces. Instead, it framed Assad's actions as a legitimate response to an internal security threat and opposed designating Syria a threat to international peace and security, arguing instead that the crisis was a domestic matter. Russia's distortion of the narrative surrounding the events was enabled not only by China but also by India, Brazil, and South Africa, collectively known as IBSA, who were similarly wary in the wake of NATO's Libya intervention. Despite senior United Nations (UN)

officials warning that atrocity crimes may be occurring, efforts by Western states to sanction Syria failed to gain traction among these states.

Yet, Russian alignment with Syria—and Chinese and IBSA support for Russia—were not the only explanation for international inaction. Regional politics also initially afforded the Assad regime cover. Whereas Laurent Gbagbo and Muammar Qaddafi were deeply unpopular and immediately faced near-universal condemnation from their respective regions, Assad initially retained support among Arab states: Shi'a-led governments aligned with his Alawite regime, while other Arab states were wary of setting further regional precedent for regime change.¹ Although the League of Arab States (LAS) and the Gulf Cooperation Council (GCC) eventually condemned the regime's violence, they never called for military intervention as they had in Libya. This regional reluctance impacted dynamics within the Security Council, where the idea of military intervention was never discussed in 2011.

At the same time, the absence of such discussions also reflected the decline in the salience of the Responsibility to Protect (R2P) after Libya, with resolution drafts containing R2P language repeatedly vetoed by China and Russia. Lacking a broadly supported “frame” or justification for coercive measures, Western states struggled to build consensus among China, Russia, or the IBSA bloc, even once senior UN officials characterized the violence as atrocity crimes. Together, these conditions stalled efforts to adopt sanctions and kept military force off the table in 2011, despite credible evidence of extraordinary abuses by the Syrian regime.

¹ Aram Nerguizian, “The Crisis in Syria,” *Center for Strategic and International Studies*, February 8, 2012, <https://www.csis.org/analysis/crisis-syria>.

Table 7.1 Conditions for UNSC Action in Syria

Causal Role	Causal Directness	Condition	Value
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	Present
		UN atrocity characterization	Present
		Regional request for/endorsement of intervention	Absent
	<i>Underlying</i>	Absence of P5 alignment	Absent
		Recognition as IPS threat under Art. 39	Absent
		Consensus on failure of non-coercive means	Absent
Enabling	<i>Proximate</i>	Secretary-General request for intervention	Absent
	<i>Underlying</i>	R2P salience	Weak
		Perpetrator military strength	Moderate to Strong* ²
		Rapid response capabilities	Limited

7.1 The Onset of the Syrian Civil War: 2011

The civil uprising that preceded Syria’s nearly 14-year civil war began in January 2011 as a peaceful protest movement against then–President Bashar al-Assad, inspired by the Arab Spring sweeping across the Middle East and North Africa.³ Assad, a trained ophthalmologist who had lived in London, came to power in 2000 following the death of his father, Hafez al-Assad, and the earlier, unexpected death of his brother and presumed heir, Bassel. Hafez had ruled Syria for three decades with an “iron fist,” consolidating power under the minority Alawite

² In 2011, Syria was generally considered one of the stronger militaries in the Middle East in conventional terms, though decades of corruption had weakened the military’s professionalism and combat readiness. Nonetheless, Syria fighting capabilities were significantly strengthened by military backing from Russia and Iran. See: Kheder Khaddour, “Strength in Weakness: The Syrian Army’s Accidental Resilience,” *Carnegie Middle East Center*, March 14, 2016, <https://carnegieendowment.org/research/2016/03/14/strength-in-weakness-the-syrian-armys-accidental-resilience/?lang=en>.

³ Bessma Momani and Tanzeel Hakak, “Syria,” in *The Oxford Handbook of the Responsibility to Protect*, ed. Alex J. Bellamy and Tim Dunne, Oxford Handbooks (2016; online edn, Oxford Academic, August 3, 2016), 895–910, <https://doi.org/10.1093/oxfordhb/9780198753841.013.48>.

elite, building a vast security apparatus, and violently crushing dissent.⁴ Despite of early hopes for democratic reform, Bashar's presidency soon mirrored that of his father.⁵

In early March 2011, the situation in Syria escalated when police arrested and tortured fifteen students in the southern town of Dar'a for spray-painting anti-regime slogans—including “The people want the regime to fall” and “Your turn is coming, doctor”—on a wall.⁶ Protests that erupted on March 18 demanding their release and broader government reforms turned violent when police opened fire, killing four demonstrators.⁷ The unrest quickly spread across the country, channeling longstanding grievances against the regime and posing an unprecedented threat to Assad's rule.⁸

From the outset, Assad responded with extreme violence, ordering state security forces to use live ammunition against demonstrators and deploying tanks and heavy weapons to suppress the protests.⁹ At the same time, he imposed a near-total media blackout, expelling international journalists from the country and detaining local reporters who tried to cover the protests.¹⁰ Despite amateur footage uploaded to social media and smuggled out by activists, the regime, which tightly controlled the internet and media, largely succeeded in stymying independent

⁴ Lina Khatib and Lina Sinjab, “Origins and Evolution of Syria's Shadow State,” in *Syria's Transactional State* (London: Chatham House, October 10, 2018), <https://www.chathamhouse.org/2018/10/syrias-transactional-state/2-origins-and-evolution-syrias-shadow-state>.

⁵ Omar Haraco, “The Fall of The Assad House and The Task of Reshaping Syria's Future,” Goobjoog English, February 12, 2025, <https://en.goobjoog.com/the-fall-of-the-assad-house-and-the-task-of-reshaping-syrias-future/>.

⁶ Momani and Tanzeel Hakak, “Syria,” 896.

⁷ BBC News, “Middle East unrest: Three killed at protest in Syria,” March 29,

2011, <https://www.bbc.com/news/world-middle-east-12892870>; Dominic Evans and Suleiman Al-Khalidi, “From Teenage Graffiti to a Country in Ruins: Syria's Two Years of Rebellion,” *Reuters*, March 17,

2013, <https://www.reuters.com/article/world/uk/from-teenage-graffiti-to-a-country-in-ruins-syrias-two-years-of-rebellion-idUSBRE92G067/>.

⁸ Jared Genser, “The United Nations Security Council's Implementation of the Responsibility to Protect: A Review of Past Interventions and Recommendations for Improvement,” *Chicago Journal of International Law* 18, no. 2 (2018): 483, <https://chicagounbound.uchicago.edu/cjil/vol18/iss2/2>.

⁹ *Ibid.*; Katherine Marsh, “Syria's Crackdown on Protestors Becomes Dramatically More Brutal,” *The Guardian*, April 24, 2011, <https://www.theguardian.com/world/2011/apr/25/syria-crackdown-protesters-brutal>.

¹⁰ Committee to Protect Journalists, “Attacks on the Press in 2011: Syria,” <https://cpj.org/2012/02/attacks-on-the-press-in-2011-syria/>.

reporting in spring 2011.¹¹ A draft press statement on Syria was circulated within the Security Council in late April, but members disagreed on whether the situation constituted a threat to international peace and security.

By summer 2011, what began as a crackdown on localized protests escalated into widespread assaults on towns and cities across the country, with Assad brazenly relying on force to maintain power.¹² As mass protests continued, the Syrian Army besieged cities experiencing unrest, including Dar'a, Homs, and Hama. When the regime briefly lost control of Hama in July—a city of strategic and symbolic significance for the Syrian opposition, where Hafez had previously crushed an uprising in 1982—it fired cannons and machine guns indiscriminately at unarmed civilians as it attempted to restore its authority.¹³

Throughout this period, the international community's response to the violence remained largely rhetorical. While the United States and the European Union (EU) imposed unilateral sanctions against Syria, efforts at the Security Council stalled.¹⁴ Members debated a draft resolution during June and July, but made little progress. On August 3, following the government's violent crackdown on Hama, the Council issued its first statement on Syria condemning the use of force against civilians, nearly five months after the crisis erupted.¹⁵ However, no proposal for concrete action emerged.

¹¹ Amnesty International, "Syria Video Points to 'Shoot to Kill' Policy of Security Forces," May 26, 2011, <https://www.amnesty.org/en/latest/news/2011/05/syria-video-points-to-shoot-to-kill-policy-security-forces/>; Mustafa Haid, "The Image of the Syrian Regime and Its Contradictions," *Heinrich-Böll-Stiftung*, March 3, 2014, <https://fb.boell.org/en/2014/03/03/assad-regime-controlling-information-and-contradictory-image-statehood-participation>.

¹² Genser, "Implementation of the Responsibility to Protect," 483.

¹³ The Washington Post, "Syria's Ramadan Massacre," August 1, 2011, https://www.washingtonpost.com/opinions/syrias-ramadan-massacre/2011/08/01/gIOAZHCKoI_story.html; Amnesty International, "Syria: 30 Years On, Hama Survivors Recount the Horror," February 28, 2012, <https://www.amnesty.org/en/latest/news/2012/02/syria-years-hama-survivors-recount-horror/>.

¹⁴ United States Department of State, "Syria Sanctions," <https://www.state.gov/syria-sanctions>; Council Decision 2011/273/CFSP of 9 May 2011 concerning restrictive measures against Syria, *Official Journal of the European Union* L 121 (10 May 2011): 11–14.

¹⁵ United Nations Security Council (UNSC), S/PRST/2011/16, August 3, 2011, <https://docs.un.org/S/PRST/2011/16>.

Meanwhile, protesters in Syria began taking up arms, albeit more haphazardly than in Libya. In late July, a prominent Syrian Air Force defector announced the formation of the Free Syrian Army (FSA), a loose conglomeration of armed opposition groups emerging across the country.¹⁶ Throughout August and September, the Security Council debated two competing draft resolutions on Syria, but members remained deeply divided. Ultimately, in October, the Council voted on a draft that would have condemned the Syrian government's abuses and threatened to impose sanctions. By this stage, the UN estimated that around 3,000 people—mostly civilians—had been killed in the violence.¹⁷ China and Russia, however, vetoed the resolution, blocking a collective response.

Security Council inaction in the face of the Assad regime's abuses stands in stark contrast to its swift, decisive interventions in Côte d'Ivoire and Libya earlier that year. Even in Sudan, where states initially dragged their feet, the Council eventually authorized a robust peacekeeping deployment in Darfur to protect civilians. This divergence in Syria raises the question: why did the Council fail to act? The following sections more closely examine the international response to the crisis unfolding in 2011, showing how Russia's alignment with Assad—along with contextual conditions including the regime's tight control over the information environment, continued regional support, and the declining salience of R2P amid NATO's Libya campaign—hindered the process that normally leads to intervention.

¹⁶ Human Rights Watch, "UN: Syria Escalates Repression After Security Council Statement," August 9, 2011, <https://www.hrw.org/news/2011/08/09/un-syria-escalates-repression-after-security-council-statement>; BBC News, "Guide to the Syrian Rebels," December 13, 2013, <https://www.bbc.com/news/world-middle-east-24403003>.

¹⁷ Al Jazeera, "Syrian Forces 'Kill Dozens' in Homs and Hama," October 28, 2011, <https://www.aljazeera.com/news/2011/10/28/syrian-forces-kill-dozens-in-homs-and-hama>.

7.2 The Escalation of Large-Scale Violence Against Civilians During Armed Conflict

To understand why the international response in Syria diverged from Côte d'Ivoire and Libya in spring 2011, it is crucial to consider both the trajectory of the violence, the flow of information about the events, and the Syrian government's public messaging. Assad's suppression of protesters in March 2011 did not escalate into mass atrocities with the rapidity Libya experienced in February, where 1,000 civilians were believed to have been killed within ten days.¹⁸ Instead, the violence escalated in scale, scope, and systematicity over several months through a recurring cycle of mass protests and state repression, with the death toll reportedly surpassing 1,000 in late May—two and a half months after protests began.¹⁹

At the same time, Assad maintained far tighter and more sophisticated control over the information environment in Syria than either Gbagbo in Côte d'Ivoire or Qaddafi in Libya, enabling the regime to obscure the nature and scale of the violence and delay fact-finding for several months. Moreover, in contrast to both Gbagbo and Qaddafi, Assad was strategic in his public messaging, initially indicating a willingness to make concessions to protesters. As a result, many Security Council members and Arab states were led to believe that he could be persuaded to de-escalate through diplomacy.²⁰

On March 23, just days after demonstrations erupted in Dar'a, an advisor to Assad publicly pledged to introduce reforms aimed at addressing the protesters' demand.²¹ Most

¹⁸ Richard Gowan and Paulo Sérgio Pinheiro, "Syria," in *The United Nations Security Council in the Age of Human Rights*, ed. Jared Genser and Bruno Stagno Ugarte (Cambridge: Cambridge University Press, 2014), 436, <https://doi.org/10.1017/CBO9781139626972>.

¹⁹ Al Jazeera, "Syria death toll 'surpasses 1,000'," May 24, 2011, <https://www.aljazeera.com/news/2011/5/24/syria-death-toll-surpasses-1000>.

²⁰ Gowan and Pinheiro, 437.

²¹ BBC News, "Syria unrest: Government pledges political reforms," March 25, 2011, <https://www.bbc.com/news/world-middle-east-12853634>.

significantly, the regime promised to study the possibility of lifting Syria's state of emergency law that had been in place since the Ba'ath party took power in 1963, which banned any political opposition. It also committed to forming a committee to investigate the killings in Dar'a, allowing more political parties to compete in elections, pursuing anti-corruption measures, relaxing media restrictions, and raising workers' wages, among other measures.²²

Just one week later, on March 29, Assad accepted the resignation of his government, a symbolic but significant gesture for a regime rarely responsive to public pressure.²³ By this point, activists reported that around 100 people had been killed, while Amnesty International put the number at 171.²⁴ The following day, Assad delivered a speech in which he affirmed that citizens had a right to peacefully demonstrate, calling it a "basic human right guaranteed by the Syrian constitution," and insisted that Syria was already reforming, though he offered few specifics.²⁵ Assad further stressed that security forces would not target civilians, only known "terrorists."²⁶ This language contrasted with the inflammatory rhetoric of Qaddafi—who, within days of protests erupting, called for the extermination of "cockroaches" challenging his rule—and of Gbagbo, whose speech carried clear ethnic undertones and deliberately aimed to incite hatred and violence. By mid-April, Assad publicly promised to lift the state of emergency and reiterated

²² BBC News, "Syria unrest"; Liam Stack, "Syria Offers Changes Before Renewed Protests," *The New York Times*, March 31, 2011, <https://www.nytimes.com/2011/04/01/world/middleeast/01syria.html>; Al Jazeera, "Syria braced for anti-government protests," April 21, 2011, <https://www.aljazeera.com/news/2011/4/21/syria-braced-for-anti-government-protests>.

²³ Michael Slackman, "Syria's Cabinet Resigns; Concessions Expected," *The New York Times*, March 29, 2011, <https://www.nytimes.com/2011/03/30/world/middleeast/30syria.html>.

²⁴ Amnesty International, "Death Toll Rises Amid Fresh Syrian Protests," April 8, 2011, <https://www.amnesty.org/en/latest/press-release/2011/04/death-toll-rises-amid-fresh-syrian-protests/>; Stack, "Syria Offers Changes Before Renewed Protests."

²⁵ Al Jazeera, "Syria Braced for Anti-Government Protests," April 21, 2011, <https://www.aljazeera.com/news/2011/4/21/syria-braced-for-anti-government-protests>; Brian Whitaker, "Syria: the boldness of Bashar al-Assad," *The Guardian*, March 31, 2011, <https://www.theguardian.com/commentisfree/2011/mar/31/syria-boldness-bashar-al-assad>.

²⁶ UNSC, S/PV.6524, April 27, 2011, <https://docs.un.org/S/PV.6524>, 12.

that reform was needed to strengthen Syria.²⁷ Adopting a conciliatory tone, he stated: “citizens need security and services, but also dignity. We want to engage in dialogue with the unions and with national organizations.”²⁸ Three days later, the government formally approved the law’s repeal.²⁹

Though many remained deeply skeptical about the possibility of genuine reform, Assad’s calculated statements and gestures helped the regime maintain a façade of political legitimacy in the early months of the crisis. In contrast, the more defiant responses of Gbagbo and Qaddafi led them to rapidly lose legitimacy in the eyes of both regional and international actors. Still, despite these apparent concessions from the government, protests continued throughout April, with the civilian death toll rising into the hundreds. On April 22, an estimated 100 people were killed when security forces opened fire on mourners at a mass funeral for pro-democracy protesters, bringing the death toll to nearly 400, according to the United States (US) National Public Radio (NPR).³⁰ The same day, Secretary-General Ban Ki-moon reminded Syrian authorities of their “obligation to respect international human rights, including the right to freedom of expression and peaceful assembly”—notably avoiding reference to R2P.³¹ He also called for an independent investigation into the killings.

Three days later, the Security Council met to consider a draft press statement that would have demanded an end to the violence and supported Ban’s call for an investigation.³² However,

²⁷ Katherine Marsh, “Syrian Protests Continue as Bashar Al-Assad Promises Reform,” *The Guardian*, April 16, 2011, <https://www.theguardian.com/world/2011/apr/16/bashar-al-assad-syria>.

²⁸ Ibid.

²⁹ Al Jazeera, “Syria to Lift Decades-Old Emergency Law,” April 19, 2011, <https://www.aljazeera.com/news/2011/4/19/syria-to-lift-decades-old-emergency-law>.

³⁰ Katherine Marsh, “Syrian Troops Shoot Dead Protestors in Day of Turmoil.”

³¹ United Nations, “Secretary-General Condemns Syria Killings, Calls for End to Violence, 25 April 2011,” April 25, 2011, <https://press.un.org/en/2011/sgsm13521.doc.htm>.

³² Security Council Report, “Insights on Syria,” April 25, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/04/insights-on-syria.php>.

Russia and Lebanon opposed the draft, arguing that Council action would constitute interference in a domestic matter, with Lebanon “reluctant to associate itself with any statement because of its close links with Syria,”³³ *Security Council Report* observed. The Council failed to adopt the statement as a result, though members agreed that more detailed information was needed and requested a briefing from the UN Department of Political Affairs (DPA, now DPPA).³⁴

Two days later, the Security Council held a public debate under the agenda item “The Situation in the Middle East,” during which Under-Secretary-General for Political Affairs B. Lynn Pascoe delivered a briefing on Syria. Pascoe presented an ambiguous narrative about the situation, describing the government’s response to the protests as a mixture of violent repression and proposed reforms. For instance, he highlighted that the Syrian government had announced that “a series of political, social and economic reforms would be undertaken to respond to demands of the Syrian people, including an investigation into the killings during protests.”³⁵ He further noted that Assad had lifted the decades-old state of emergency and “recognized the right to peaceful protest while strictly regulating it,”³⁶ tasking his new government with “developing reforms, including preparing new laws on media and political parties.”³⁷

Significantly, Pascoe emphasized the difficulty of verifying information about the unfolding events. He reported that the Syrian army had launched a military offensive against Dar’a, but cautioned: “[g]iven the siege-like conditions, it is difficult to confirm [the] information.”³⁸ He also noted that while the “overwhelming majority of protests have been

³³ Security Council Report, “Insights on Syria,” April 28, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/04/insights-on-syria-2.php>; David Batty, “Syrian Troops Open Fire on Mourners at Funerals for Pro-Democracy Protesters,” *The Guardian*, April 23, 2011, <https://www.theguardian.com/world/2011/apr/23/syria-troops-open-fire-protesters>.

³⁴ Security Council Report, “Insights on Syria.”

³⁵ S/PV.6524, 2.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

peaceful and unarmed...there have been credible reports of a very few instances where protesters have used force, resulting in the deaths of members of the security forces.”³⁹ Pascoe concluded by stressing that the overall uncertainty was “compounded by the denial of access to the international and independent media,” leaving observers “unable to confirm or deny many allegations.”⁴⁰

Pascoe’s briefing is remarkable because he did not characterize the violence in Syria as potential atrocity crimes. In fact, it was not until June 1 that Human Rights Watch published the first report by a major human rights organization asserting that the violence committed by state security forces in Dar’a likely constituted crimes against humanity.⁴¹ Instead, Pascoe stressed the ambiguity surrounding the nature and causes of the violence at this stage. He highlighted reports of state-led violence but carefully qualified his statements due to a lack of verifiable information, which left room for contestation over the facts. He also suggested that the Syrian Army bore the primary responsibility for the violence but acknowledged instances of force used by protestors, complicating a clear perpetrator-victim narrative.

Unlike in Côte d’Ivoire and Libya, the initial dearth of credible information about the events in Syria stemmed from the government’s ability to strategically control the information environment. Beginning in March, Assad—drawing on a sophisticated security and intelligence apparatus inherited from his father—launched a multi-pronged “information war” to dominate the narrative surrounding the protests and suppress dissent.⁴² In Libya, Qaddafi initially invited international media to Tripoli (albeit under tight supervision) and foreign journalists were able to

³⁹ Ibid., 3.

⁴⁰ Ibid.

⁴¹ Human Rights Watch, “Syria: Crimes Against Humanity in Daraa,” Human Rights Watch, June 1, 2011. <https://www.hrw.org/news/2011/06/01/syria-crimes-against-humanity-daraa>.

⁴² International Federation of Library Associations and Institutions (IFLA), “Freedom of Expression and Access to Information in Syria Today,” <https://www.ifla.org/publications/freedom-of-expression-and-access-to-information-in-syria-today/>.

operate from rebel-controlled territory, while in Côte d'Ivoire, UN and international media remained on the ground.⁴³ In contrast, Assad swiftly enforced a near-total media blackout. The government immediately expelled international journalists and barred others from entering, leaving almost no foreign correspondents on the ground during spring 2011, while systematically detaining local journalists.⁴⁴ A US-based Syrian activist explained in May: “The only way we get information is through the citizen journalists... Without them, we would not know anything.”⁴⁵

Still, posting content online was difficult and dangerous. When protests erupted in March, the regime strategically disabled mobile phone service, landlines, internet, and electricity in cities and towns experiencing unrest, including Dar'a and Homs.⁴⁶ Over the following months, it coercively or violently extracted the passwords to social media accounts of journalists and ordinary citizens to hack or disable them, while the pro-regime group known as the Syrian Electronic Army hacked news organization websites and social media platforms to spread government propaganda.⁴⁷ This coordinated, offensive information control strategy both limited citizens' ability to upload evidence to social media and exposed those who did to surveillance and retaliation.⁴⁸

Moreover, while amateur footage did circulate globally through Facebook and YouTube, the absence of international media made it nearly impossible to verify these eyewitness

⁴³ Martin Chulov, “Libyan City Dubbed 'Free Benghazi' as Anti-Gaddafi Troops Take Control,” *The Guardian*, February 23, 2011, <https://www.theguardian.com/world/2011/feb/23/libya-free-benghazi-anti-gaddafi-troops>; Al Jazeera, “Gaddafi Struggles to Keep Control,” February 24, 2011, <https://www.aljazeera.com/news/2011/2/24/gaddafi-struggles-to-keep-control>.

⁴⁴ IFLA, “Freedom of Expression and Access to Information in Syria Today.”

⁴⁵ Jennifer Preston, “Seeking to Disrupt Protesters, Syria Cracks Down on Social Media,” *The New York Times*, May 22, 2011, <https://www.nytimes.com/2011/05/23/world/middleeast/23facebook.html>.

⁴⁶ Committee to Protect Journalists, “Attacks on the Press in 2011: Syria,” <https://cpj.org/2012/02/attacks-on-the-press-in-2011-syria/>. As early as March 28, Assad expelled three Reuters journalists from Syria, barred reporters from Dara'a to effectively prevented news coverage, and jammed the signal of Dubai-based Orient TV, which had covered the protests extensively.

⁴⁷ Ibid.; Committee to Protect Journalists, “10 Most Censored Countries,” May 2, 2012, <https://cpj.org/reports/2012/05/10-most-censored-countries-2/>.

⁴⁸ Jennifer Preston, “Seeking to Disrupt Protesters, Syria Cracks Down on Social Media.”

accounts.⁴⁹ This was precisely the issue raised—or rather, exploited—by several states following Pascoe’s briefing. In Russia’s view, the Assad regime was already taking appropriate steps to address the crisis through democratic reforms. “Clearly,” its ambassador emphasized, “the process of democratic reforms proclaimed and being earnestly implemented by the leadership of Syria is worthy of support. A great many significant steps have been taken in a very short period of time.”⁵⁰ Russia insisted that the situation in Syria, “despite increasing tension and confrontations, does not present a threat to international peace and security.”⁵¹ It stressed that “the violence does not originate entirely from one side,” noting that “there have been armed attacks on military facilities and posts and the killing of police personnel followed by the abuse and desecration of their bodies.”⁵² The real threat, Russia argued, came not from internal violence but rather external interference: “[a] real threat to regional security...could arise from outside interference in Syria’s domestic situation, including attempts to promote ready-made solutions or to take sides.”⁵³

India echoed this view, expressing concern over “[r]eports of violence during the recent demonstrations in parts of Syria, resulting in the deaths of several demonstrators and security personnel.”⁵⁴ It noted the “reports of armed extremist elements mingling with the demonstrators and using the demonstrations to attack security personnel and damage Government property,” emphasizing the “apparent lack of information regarding those responsible for those violent

⁴⁹ Ibid.; France24, “Algerian Journalist Khaled Sid Mohand Released from Syrian Detention, Torture,” May 10, 2011, <https://www.france24.com/en/20110510-algerian-journalist-khaled-sid-mohand-released-syrian-detention-torture-assad>; NPR Staff and Wires, “Despite Crackdown, Thousands Protest in Syria,” *NPR*, May 13, 2011, <https://www.npr.org/2011/05/13/136269990/syria-seals-off-areas-trying-to-prevent-protests>.

⁵⁰ S/PV.6524, 7.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid., 8.

attacks.”⁵⁵ Like Russia, India argued that the Syrian government had taken steps to address protestors’ demands, stressing that “it [was] for States to decide on the best course of action to maintain internal law and order and to prevent violence.”⁵⁶ In India’s view, “[t]he primary responsibility of the Council in this particular instance [was] to urge all sides to abjure violence in any form and to seek a resolution...through peaceful means.”⁵⁷

Of course, these arguments raise the question of whether Russia and India genuinely viewed the situation as ambiguous, or whether they had ulterior motives in framing Syria’s crisis as a domestic matter. In Russia’s case, its reasons for shielding Assad have been analyzed at length.⁵⁸ As France’s former UN Ambassador Martin Briens notes, neither “China [nor] Russia [had] a strong interest as far as Libya and the Ivory Coast were concerned,” but “Syria was much more a strong interest for Russia.”⁵⁹ On the one hand, Russia maintained a longstanding strategic relationship with Syria dating to the Soviet era and had immediate material incentives to preserve the Assad regime.⁶⁰ Russia maintained a naval facility in Tartus on the Syrian coast, which was small but symbolically and strategically significant as its only military foothold in the Mediterranean.⁶¹ Russia had also for decades been a key arms supplier to Syria, which received eight percent of Russia’s 2011 total arms exports, or nearly \$960 in jet fighter upgrades and anti-ship missiles, according to *The Moscow Times*.⁶²

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ See, for example: Samuel Charap, “Russia, Syria and the Doctrine of Intervention,” *Survival* 55, no. 1 (2013): 35, <https://doi.org/10.1080/00396338.2013.767403>; Samuel Charap, Elina Treyger, and Edward Geist, *Understanding Russia’s Intervention in Syria* (Santa Monica, CA: RAND Corporation, 2019), https://www.rand.org/content/dam/rand/pubs/research_reports/RR3100/RR3180/RAND_RR3180.pdf.

⁵⁹ Martin Briens, personal communication, March 2022.

⁶⁰ Charap, “Russia,” 38; Dmitri Trenin, “Russia’s Interests in Syria,” *Carnegie Moscow Center*, June 9, 2014, <https://carnegiemoscow.org/2014/06/09/russia-s-interests-in-syria-pub-55831>.

⁶¹ Trenin, “Russia’s Interests in Syria.”

⁶² The Moscow Times, “6Bln in Weapons Sales a Factor in Syria,” February 1, 2012, <https://www.themoscowtimes.com/2012/02/01/6bln-in-weapons-sales-a-factor-in-syria-a12307>.

Yet, these material incentives only partly explain Russia's unyielding defense of Assad.⁶³ More significant than protecting its military assets or arms contracts were Russia's broader strategic goals: countering US influence in the Middle East, asserting its role as a global power, and opposing what it saw as a dangerous precedent of Western interventionism.⁶⁴ As former German Deputy UN Ambassador Miguel Berger observes, "[Russia's] hardening of [its] position on Syria [had] a lot to do with how the mandate in Libya was used in spring and summer 2011."⁶⁵ By then, Syria was Russia's "last client and ally" in the Middle East and only avenue to geopolitical influence in the Middle East.⁶⁶ As NATO's military campaign in Libya dragged on, fears within the Russian foreign policy establishment were confirmed that Western-led "R2P interventions" were merely a guise for regime change.⁶⁷ As a result, Russia—along with China and major Global South players such as India—became deeply skeptical of Western intentions in Syria, moving to prevent the possible replacement of Assad with a pro-Western regime and the broader normalization of military intervention as a means of halting violent state repression.⁶⁸

In sum, Security Council inaction in spring 2011 cannot be explained without considering how Assad's tight control of the information space, alongside NATO's controversial implementation of Resolution 1973 in Libya, motivated and enabled Russia and other Global South states to block any international response in Syria. The regime's imposition of a near-total media blackout, combined with its strategic messaging and symbolic concessions to protesters,

⁶³ Dmitri Trenin, "Russia's Line in the Sand on Syria," *Carnegie Endowment for International Peace*, February 5, 2012, <https://carnegieendowment.org/posts/2012/02/russias-line-in-the-sand-on-syria?lang=en>.

⁶⁴ Eugene Rumer and Andrew S. Weiss, "Russia's Enduring Presence in the Middle East," *Carnegie Endowment for International Peace*, November 1, 2024, <https://carnegieendowment.org/research/2024/11/russias-middle-east-diplomacy-relationship?lang=en>.

⁶⁵ Miguel Berger, personal communication, January 2022.

⁶⁶ Ruslan Pukhov, "Why Russia Is Backing Syria," *The New York Times*, July 6, 2012, <https://www.nytimes.com/2012/07/07/opinion/why-russia-supports-syria.html>.

⁶⁷ *Ibid.*

⁶⁸ Trenin, "Russia's Line in the Sand on Syria"; Charap, Treyger, and Geist, *Understanding Russia's Intervention in Syria*, 6.

created deliberate narrative ambiguity around the events and left international actors unable to verify emerging evidence of abuses. This ambiguity gave states—particularly Russia—the cover to frame Assad’s actions as a legitimate response to an internal security threat and block even modest diplomatic pressure on the regime. As a result, the Council failed to act during this critical early window, emboldening Assad and shaping the trajectory of the conflict over the following months.

7.3 UN Atrocity Warnings and Regional Condemnation, But No Intervention Support

Though the Security Council remained silent in April, pressure on the Syrian government mounted through other channels as the regime escalated its repression of protesters during May.⁶⁹ On April 29, the UN Human Rights Council passed a resolution calling on the Syrian government to restore internet access, lift its censorship of the media, and allow foreign journalists to enter the country.⁷⁰ It also requested the UN Office of the High Commissioner for Human Rights (OHCHR) to dispatch a mission to investigate alleged crimes committed against civilians.⁷¹ On May 4, Ban Ki-moon again called for an end to the violence and pressed Assad during a phone call to allow an independent investigation.⁷² The United States soon imposed additional sanctions on Assad and his associates, followed by an EU sanctions package on May

⁶⁹ Gowan and Pinheiro, 437–439.

⁷⁰ United Nations (UN) News, “UN Human Rights Council Calls for Investigation into Alleged Abuses in Syria,” *United Nations News*, April 29, 2011, <https://news.un.org/en/story/2011/04/373652>.

⁷¹ *Ibid.*

⁷² UN News, “Syria: Ban Calls for Probe into Killings and End to Violent Repression of Protests,” *UN News*, May 4, 2011, <https://news.un.org/en/story/2011/05/374022>.

23.⁷³ Two days later, France, Germany, Portugal, and the United Kingdom circulated a draft resolution in the Council recalling the Syrian government's responsibility to protect its citizens, stressing the need for accountability, and urging cooperation with the OHCHR investigation.⁷⁴ By this point, media reports suggested at least 1,100 people had been killed and over 8,000 arbitrarily detained, while mass graves had allegedly been discovered in Dar'a.⁷⁵

Yet, according to *Security Council Report*, the sticking point within the Security Council remained whether Syria constituted a threat to international peace and security. Western states had appealed for action seven times throughout May, but both China and Russia resisted such calls on the grounds that the crisis was a domestic matter.⁷⁶ In China's case, diplomats believed Beijing was motivated by solidarity with Russia rather than any particular loyalty to Assad, as well as its commitment to the state sovereignty norm.⁷⁷ At the same time, India, Brazil, and South Africa remained wary of international involvement, appearing "broadly convinced" by arguments that external interference could push Syria toward civil war.⁷⁸ Lebanon, "for its own domestic political reasons,"⁷⁹ was similarly hesitant to take any action. Still, "many Council members [found] the silence on Syria, in comparison to Libya, problematic."⁸⁰ While "[n]o Council member seem[ed] to believe that another Libya-style response [was] appropriate or

⁷³ Steven Lee Myers and Anthony Shadid, "U.S. Imposes Sanctions on Syrian Leader and 6 Aides," *The New York Times*, May 18, 2011, <https://www.nytimes.com/2011/05/19/world/middleeast/19syria.html>; BBC News, "Syria: EU Imposes Sanctions on President Assad," May 23, 2011, <https://www.bbc.com/news/world-middle-east-13500395>.

⁷⁴ Security Council Report, *Update Report No. 2: Syria*, May 26, 2011, https://www.securitycouncilreport.org/update-report/lookup_c_glkwlemtisg_b_7494091.php.

⁷⁵ *Ibid.*, 1.

⁷⁶ *Ibid.*, 3.

⁷⁷ Simon Adams, *Failure to Protect: Syria and the UN Security Council*, Global Centre for the Responsibility to Protect, March 2015, 14.

⁷⁸ Gowan and Pinheiro, "Syria," 440; Adams, "Failure to Protect," 10.

⁷⁹ Security Council Report, *Update Report No. 2*, 3.

⁸⁰ *Ibid.*, 4.

necessary,” most members wanted to demonstrate their concern over the situation and an “even-handed approach.”⁸¹

A week later, on June 8, the Security Council convened to discuss the European resolution, which had been revised to include stronger language. The draft now raised the possibility that Syrian security forces had committed “crimes against humanity” and explicitly recalled the Syrian authorities’ “responsibility to protect its population.”⁸² However, the operative clauses remained moderate. The resolution demanded an end to the violence and urged authorities to lift the siege on towns experiencing protests, pursue reforms aimed at genuine political participation, and launch a credible and impartial investigation into attacks on civilians—stopping short of threatening punitive action.⁸³ Richard Gowan and Paulo Sérgio Pinheiro (2016) argue that these relatively modest demands reflected a belief among Western states that Assad could still be persuaded to de-escalate.⁸⁴ The resolution, in effect, offered Assad an “off ramp” if he halted the violence and took disciplinary action against some of those involved.⁸⁵

Nonetheless, the draft faced opposition. China, Russia, India, Brazil, and South Africa—collectively known as BRICS—argued that the Security Council had no mandate to prescribe how a country should pursue political reform.⁸⁶ Moreover, according to *Security Council Report*, these states were “uncomfortable with what they saw as possible action-oriented language which

⁸¹ Ibid.

⁸² Colum Lynch, “Europeans Call for UN Condemnation of Syria (Draft Resolution Included),” *Foreign Policy*, June 8, 2011, <https://foreignpolicy.com/2011/06/08/europeans-call-for-u-n-condemnation-of-syria-draft-resolution-included/>.

⁸³ Ibid.

⁸⁴ Gowan and Pinheiro, “Syria,” 440.

⁸⁵ Ibid.

⁸⁶ Security Council Report, “Draft Resolution on Syria,” June 8, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/06/presidential-statement-on-syria.php>.

might lead to more robust follow-up by the Council.”⁸⁷ In this regard, China and Russia were not solely responsible for Council paralysis. As Ambassador Berger observes, “[t]his was still a time when BRICS was relevant. Brazil was critical of the West. India tried to have quite a distance [from the West]. So it was not only China and Russia.”⁸⁸ India, Brazil, and South Africa also had “ambiguous positions...on Syria for very different motives.”⁸⁹ According to Berger, “the fact that [IBSA] did not take a clear position made it very easy for Russia and China to obstruct any early attempt to reach a consensus [on] a resolution.”⁹⁰

These positions shifted modestly in August when the Security Council began receiving direct briefings from senior UN officials on the crisis. Although the Security Council did not discuss Syria in July, on July 21, the Special Advisers on the Prevention of Genocide and the Responsibility to Protect, Francis Deng and Edward Luck respectively, stated that “the scale and gravity of the violations indicate a serious possibility that crimes against humanity may have been committed and continue to be committed in Syria,”⁹¹ reminding the government of its responsibility to protect its population. This marked the most explicit statement by a senior UN official to date that the government’s actions could amount to atrocity crimes.

In what proved to be a turning point in international perceptions of Assad, reports emerged on July 31 that state security forces had killed at least 100 civilians in Hama in an event later known as the “Ramadan Massacre.”⁹² At dawn on the eve of Ramadan, the Syrian army launched a coordinated assault on Hama, with armored vehicles smashing through makeshift

⁸⁷ Ibid.

⁸⁸ Miguel Berger, personal communication, January 2022.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ United Nations (UN) Press, *Special Advisers on the Prevention of Genocide, Francis Deng, and on the Responsibility to Protect, Edward Luck, on the Situation in Syria*, July 21, 2011, <https://www.un.org/en/genocideprevention/documents/media/statements/2011/English/2011-07-21-OSAPG%20statement%20Syria%2022%20July%202011%20FINAL.pdf>.

⁹² The Washington Post, “Syria’s Ramadan Massacre.”

barriers and troops firing into crowds of demonstrators after Friday prayers, causing one of the highest single-day civilian death tolls of the conflict.⁹³ Several Security Council members reacted publicly over the weekend, with Germany, the United Kingdom, and the United States condemning the violence and calling on Assad to step down, and even Russia calling for an end to the use of force.⁹⁴ On August 2, UN Assistant-Secretary General for Political Affairs Oscar Fernandez-Taranco briefed the Council on the reported killings during a closed meeting, after which Brazil drafted language for a Council statement.⁹⁵ According to *Security Council Report*, members who had previously resisted a collective response to Syria, including Russia, now indicated that they might support a presidential statement.⁹⁶

As in April, however, the language of the draft proved contentious. Some states wanted the statement to condemn not only the use of force against civilians but also hostility against state security forces.⁹⁷ Members also sharply disagreed over proposed references to the attacks as possible crimes against humanity and the need for the government to cooperate with the OHCHR mission to investigate “alleged violations of international human rights law.”⁹⁸ The following day, on August 3, the Council unanimously adopted a presidential statement on Syria, its first statement on the situation since the Syrian uprising began. The statement expressed “profound regret at the death of many hundreds of people,” condemned “the widespread violations of human rights and the use of force against civilians by the Syrian authorities,” and “urged all

⁹³ The Guardian, “Hama: Syrian Troops Massacre Scores on Eve of Ramadan,” video, August 1, 2011, <https://www.theguardian.com/world/video/2011/aug/01/hama-syrian-massacre-ramadan-video>; Mark Tran and Paul Owen, “Syrians Take to Streets over Hama Massacre as Outrage Grows,” *The Guardian*, August 5, 2011, <https://www.theguardian.com/world/2011/aug/05/syria-hama-massacre-outrage>.

⁹⁴ Security Council Report, “Consultations on Syria,” *What’s In Blue*, August 1, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/08/consultations-on-syria.php>.

⁹⁵ Security Council Report, “Consultations on Syria,” *What’s In Blue*, August 2, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/08/consultations-on-syria-1.php>.

⁹⁶ *Ibid.*

⁹⁷ *Ibid.*

⁹⁸ *Ibid.*

sides to act with utmost restraint, and to refrain from reprisals, including attacks on state institutions.”⁹⁹ On the one hand, this statement indicates that even recalcitrant members were responsive to, and willing to condemn, a sharp escalation in violence against civilians. On the other hand, it reveals a rhetorical boundary: efforts to explicitly frame the government’s actions as possible crimes remained too divisive.

Throughout August, the Security Council continued to debate multiple draft resolutions on Syria. During this period, two conditions emerged that would normally be expected to catalyze deliberation over concrete, if not coercive, action. First, the tide of regional opinion began turning against Assad. In contrast to Libya, Arab states initially avoided taking a firm position on Syria for various reasons. One was sectarian alignment: Iraq’s Shi’a-led government and Lebanon’s Christian-Shi’a coalition government remained aligned with Assad’s Alawite regime, an offshoot of Shi’a Islam.¹⁰⁰ More broadly, as Arab states faced mass protests at home, many were wary of setting a precedent for foreign-backed regime change.¹⁰¹ Libya had been an exception, where Qaddafi—who routinely sparred with Arab leaders and had reoriented his foreign policy toward Africa—was a political outsider.¹⁰²

However, beginning in August, Arab states and regional organizations started publicly condemning the Assad regime’s violence.¹⁰³ As John Hannah wrote in *Foreign Policy*, the

⁹⁹ S/PRST/2011/16, 1.

¹⁰⁰ Sean Mann, “How the Arab League Turned Against Syria,” *OpenDemocracy*, February 9, 2012, <https://www.opendemocracy.net/en/how-arab-league-turned-against-syria/>.

¹⁰¹ Aram Nerguizian, “The Crisis in Syria,” *Center for Strategic and International Studies*, February 8, 2012, <https://www.csis.org/analysis/crisis-syria>.

¹⁰² Mann, “How the Arab League Turned Against Syria”; Edmund Blair, “Arab League Breaks Habit, Turns on Syria,” *Reuters*, November 23, 2011, <https://jp.reuters.com/article/us-syria-arabs-league-idUSTRE7AM1QT20111123/>.

¹⁰³ Agence France-Presse, “GCC Urges End to Syrian ‘Bloodshed,’ Calls for Reforms,” *Al Arabiya English*, August 6, 2011, <https://english.alarabiya.net/articles/2011%2F08%2F06%2F161072>.

“floodgates of Arab restraint on Syria [had] finally been breached.”¹⁰⁴ On August 6, the Gulf Cooperation Council—comprising Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates—adopted a statement expressing concern over the “mounting violence and excessive use of force,” urging an “immediate end to the violence,” and appealing Assad to “resort to wisdom” and introduce “serious and necessary reforms that would protect the rights and dignity of the [Syrian] people.”¹⁰⁵ Two days later, King Abdullah of Saudi Arabia issued his own statement, declaring that “[w]hat is happening in Syria is not acceptable to Saudi Arabia” and calling for Assad to halt the “killing machine.”¹⁰⁶ The same day, Saudi Arabia, along with Kuwait and Bahrain, recalled its ambassador from Damascus.¹⁰⁷ Although neither statement called for Assad to step down, these moves were aggressive for a traditionally cautious king who had otherwise remained silent since March.¹⁰⁸

This public shift among the Gulf states reflected geopolitical and sectarian dynamics between Sunni- and Shi’a-led governments, as well as the diverging trajectories of monarchies and republics during the Arab Spring.¹⁰⁹ With the fall of Saddam Hussein in 2003 and the rise of Iraq’s Shi’a leadership, the LAS’s predominantly Sunni membership feared the consolidation of a Tehran-led “Shi’a crescent,” encompassing Iran, Iraq, Syria, and Lebanon. As Assad faced growing domestic opposition in 2011, Gulf monarchies saw a rare opportunity to shape Syrian politics and counter Iran’s regional influence.¹¹⁰ At the same time, unlike the region’s secular authoritarian regimes, Sunni monarchies had emerged largely unscathed from the wave of mass

¹⁰⁴ John Hannah, “Responding to Syria: The King’s Statement, the President’s Hesitation,” *Foreign Policy*, August 9, 2011, <https://foreignpolicy.com/2011/08/09/responding-to-syria-the-kings-statement-the-presidents-hesitation/>.

¹⁰⁵ AFP, “GCC Urges End to Syrian ‘Bloodshed’.”

¹⁰⁶ Hannah, “Responding to Syria.”

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Mann, “How the Arab League Turned Against Syria.”

¹¹⁰ Nerguizian, “The Crisis in Syria.”

protests. Demonstrations in the Gulf—as well as in Jordan and Morocco—were relatively limited, and by mid-2011, these monarchies had either successfully quashed dissent or contained it through controlled reforms.¹¹¹ As a result, analysts at the time concluded that these monarchies were less concerned about precedent setting nature of regime change in secular republics, presuming their own power to be more secure.¹¹²

The shift in the Gulf position on Syria was significant, with other regional organizations soon echoing the GCC. The Organisation of Islamic Cooperation issued two statements on August 1 and 13 expressing concern over civilian casualties in Syria and calling for restraint, while the LAS followed on August 27 with a statement calling for an end to the “spilling of blood” and urging Assad to “follow the way of reason before it is too late” (Iraq and Lebanon abstained).¹¹³ Meanwhile, as regional condemnation grew, a key catalyst for intervention occurred: a senior UN official presented the Security Council with evidence that the Assad regime had likely committed atrocity crimes. On August 10, Assistant Secretary-General for Political Affairs Oscar Fernández-Taranco briefed the Council on Syria, conveying that the death toll had surpassed 2,000 and providing “information on Syrian security forces opening fire on its own troops who refused to fire on civilians.”¹¹⁴ A week later, UN High Commissioner for Human Rights Navi Pillay also briefed the Council during a closed session on the findings of OHCHR’s fact-finding mission (FFM) to Syria. The FFM, which had investigated events from March 15 to July 15, found “a pattern of human rights violations that constitutes widespread or

¹¹¹ Yasmina Abouzzohour, “Heavy Lies the Crown: The Survival of Arab Monarchies, 10 Years After the Arab Spring,” *Brookings*, March 8, 2021, <https://www.brookings.edu/articles/heavy-lies-the-crown-the-survival-of-arab-monarchies-10-years-after-the-arab-spring/>.

¹¹² Ibid.

¹¹³ Human Rights Watch, “Organisation of Islamic Cooperation: Act Swiftly to Rein in Syria,” August 20, 2011, <https://www.hrw.org/node/243786/printable/print>; Al Jazeera, “Arab States Seek End to Syria Crisis,” August 28, 2011, <https://www.aljazeera.com/news/2011/8/28/arab-states-seek-end-to-syria-crisis>;

¹¹⁴ Security Council Report, “What’s In Blue – Security Council Briefing on Syria,” August 17, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/08/syria-briefing-and-consultations.php>.

systematic attacks against the civilian population, which may amount to crimes against humanity,” including murder, enforced disappearances, torture, deprivation of liberty, and persecution.¹¹⁵

Although barred from entering Syria, Pillay stated that the mission had “gathered credible, corroborated, and consistent accounts of violations from victims and witnesses,” including reports of security forces implementing a “shoot to kill” policy, positioning snipers on rooftops to target civilians helping the wounded, and carrying out summary executions.¹¹⁶ Pillay recalled that the international community had agreed to the principle of R2P in the 2005 World Summit Outcome Document (WSOD) and stated that, under such circumstances, the Council “may wish to refer the situation to the International Criminal Court.”¹¹⁷ While the Council did not issue a statement following the briefing, the United Kingdom immediately circulated a draft resolution proposing targeted sanctions against Syrian officials. Russia, however, countered that sanctions were not the right approach and circulated its own draft calling for dialogue.¹¹⁸

In late September, the Security Council began negotiating the competing draft resolutions.¹¹⁹ The revised British draft dropped the sanctions proposal in an effort to secure Russian support, but retained language signaling the Council’s intention to impose them if Syria failed to comply.¹²⁰ In contrast, the Russian draft stressed the principles of state sovereignty and non-intervention and the need for dialogue. As *Security Council Report* observed, the drafts

¹¹⁵ UN News, “Syrian Crackdown on Protesters May Amount to Crimes against Humanity – UN Report,” August 18, 2011, <https://news.un.org/en/story/2011/08/384432>.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

¹¹⁸ Security Council Report, “Syria Sanctions Resolution,” *What’s In Blue*, August 25, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/08/syria-sanctions-resolution.php>.

¹¹⁹ Security Council Report, “Syria Sanctions Resolution,” *What’s In Blue*, September 28, 2011, <https://www.securitycouncilreport.org/whatsinblue/2011/09/consultations-on-syria-2.php>.

¹²⁰ Ibid.

presented two “variations on the nature of the Syrian crisis,”¹²¹ with Russia portraying the situation largely in line with the government’s narrative. Tellingly, Russia’s UN ambassador described the British resolution as “a continuation of the openly declared policy of regime change” of some Council members, warning that it encouraged “destructive elements” in the Syrian opposition.¹²²

These negotiations came to a head on October 4, when France forced a vote on a version of the British draft that would have “demanded that Syrian authorities immediately stop using force against civilians and allow the exercise of freedom of expression, peaceful assembly, and other fundamental rights.”¹²³ The resolution did not impose sanctions against Assad, but it threatened to do so if the regime failed to comply with its demands. China and Russia vetoed the resolution, while the IBSA bloc and Lebanon abstained.

Statements after the vote reveal that the main point of contention for the BRICS states was whether it was appropriate to impose or even threaten coercive measures against a state for violently repressing its citizens. In Russia’s view, “the result of today’s vote reflects not so much a question of acceptability of wording as a conflict of political approaches.”¹²⁴ For Moscow,

[o]f vital importance is the fact that at the heart of the Russian and Chinese draft was the logic of respect for the national sovereignty and territorial integrity of Syria as well as the principle of non-intervention, including military, in its affairs; the principle of the unity of the Syrian people; refraining from confrontation; and inviting all to an even-handed and comprehensive dialogue aimed at achieving civil peace and national agreement by reforming the socio- economic and political life of the country.¹²⁵

¹²¹ Ibid.

¹²² Margaret Besheer, “UN Security Council Discusses New Syria Resolution,” *VOA News*, September 27, 2011, <https://www.voanews.com/a/european-powers-threaten-future-sanctions-against-syria-130691613/145830.html>.

¹²³ UN Press, SC/10403, October 4, 2011, <https://docs.un.org/SC/10403>.

¹²⁴ UNSC, S/PV.6627, October 4, 2011, 3, <https://undocs.org/S/PV.6627>.

¹²⁵ Ibid.

Russia rejected the European draft on the grounds that it embodied “a very different philosophy – the philosophy of confrontation.”¹²⁶ Its ambassador argued that Russia “cannot agree with this unilateral, accusatory bend against Damascus,” and deemed “unacceptable the threat of an ultimatum and sanctions against the Syrian authorities.”¹²⁷ In Russia’s view, such an approach “contravenes the principle of a peaceful settlement of the crisis on the basis of a full Syrian national dialogue.”¹²⁸

Above all, Russia stressed that “the situation cannot be considered in the Council separately from the Libyan experience.”¹²⁹ It lamented that “proposals for wording on the non-acceptability of foreign military intervention were not taken into account,” explaining that, “based on the well-known events in North Africa, that can only put us on our guard.”¹³⁰ More broadly, Russia was “alarmed by statements that compliance with Security Council resolutions on Libya in the NATO interpretation is a model for the future actions of NATO in implementing the responsibility to protect.”¹³¹ In Russia’s assessment, NATO’s intervention in Libya had produced the opposite of its stated goal—protecting civilians. The ambassador argued:

[t]he demand for a quick ceasefire turned into a full-fledged civil war, the humanitarian, social, economic and military consequences of which transcend Libyan borders. The situation in connection with the no-fly zone has morphed into the bombing of oil refineries, television stations and other civilian sites. The arms embargo has morphed into a naval blockade in western Libya, including a blockade of humanitarian goods. Today the tragedy of Benghazi has spread to other western Libyan towns.¹³²

¹²⁶ Ibid.

¹²⁷ Ibid., 4.

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Ibid.

¹³² Ibid.

“These types of models,” Russia concluded, “should be excluded from global practices once and for all.”¹³³ It feared that this “‘Unified Protector’ model could happen in Syria,”¹³⁴ and for this reason opposed the draft.

China and the IBSA bloc advanced arguments broadly aligned with Russia. China emphasized that the international community “should provide constructive assistance” while “fully respect[ing] Syria’s sovereignty.”¹³⁵ Whether the Security Council took further action, China argued, should “depend upon whether it would facilitate the easing of tension in Syria, help to defuse differences through political dialogue and contribute to the maintenance of peace and stability in the Middle East.”¹³⁶ In China’s view, “under the current circumstances, sanctions or the threat thereof does not help to resolve the question of Syria and, instead, may further complicate the situation.”¹³⁷ For this reason, it joined Russia in vetoing the resolution.

Echoing this sentiment, India stated that “[g]iven the complexity of ground realities in Syria,” it believed “engaging Syria in a collaborative and constructive dialogue and partnership is the only pragmatic and productive way forward.”¹³⁸ The international community, India argued, “should give time and space for the Syrian Government to implement the far-reaching reforms they have announced,” which, in turn, required the Syrian opposition to “give up the path of armed insurrection and engage constructively with the authorities.”¹³⁹ India maintained that the “international community should facilitate engagement of the Syrian Government and

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid., 5.

¹³⁶ Ibid.

¹³⁷ Ibid.

¹³⁸ Ibid., 6.

¹³⁹ Ibid.

the opposition in a Syrian-led inclusive political process,” rather than “complicate the situation by threats of sanctions, regime change, et cetera.”¹⁴⁰

South Africa likewise voiced concern about the “sponsors’ intention to impose punitive measures that would have pre-judged the resolution’s implementation.”¹⁴¹ It believed “these were designed as a prelude to further actions” and feared “this draft resolution is part of a hidden agenda aimed once again at instituting regime change, which has been an objective clearly stated by some.”¹⁴² Like Russia, South Africa lamented that “the sponsors of the draft resolution rejected language that clearly excluded the possibility of military intervention in the resolution of the Syria crisis,” warning that the Security Council should “proceed with caution on Syria lest we exacerbate an already volatile situation.”¹⁴³ Brazil similarly emphasized that “meaningful and inclusive national dialogue, leading to effective political reform, is the only way out of the current crisis in Syria.”¹⁴⁴ It encouraged the LAS to “continue to play a constructive role through its diplomatic efforts” and expressed its intent to “continue to advocate for a political engagement that can...pave the way for a peaceful solution to the crisis.”¹⁴⁵

The resounding message from BRICS, then, was that the situation in Syria did not justify military intervention, and that Western states, by overreaching in Libya, had broken their trust, reinforcing fears that even threatening sanctions was a slippery slope to military action. Significantly, this argument rested on a more fundamental claim about the nature and causes of the violence: a challenge to the characterization of the situation as a clear case of state-perpetrated violence against civilians. To be sure, the BRICS states went to significant lengths to

¹⁴⁰ Ibid.

¹⁴¹ Ibid., 11.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ibid., 12.

¹⁴⁵ Ibid.

condemn the violence. Russia stressed: “we are not advocates of the Al-Assad regime. We believe that the violence is unacceptable, and we condemn the repression of protests by peaceful demonstrators.”¹⁴⁶ However, “the continuation of this tragedy,” Russia argued, “cannot be blamed only on the harsh actions of the authorities.”¹⁴⁷ It claimed that “[r]ecent events convincingly show that the radical opposition no longer hides its extremist bent and is relying on terrorist tactics, hoping for foreign sponsors and acting outside of the law.”¹⁴⁸ These armed groups, “supported by smuggling and other illegal activities are providing supplies,” were “taking over land, and killing and perpetrating atrocities,”¹⁴⁹ including against Syrian intelligence officers and civil servants.

India, for its part, “deplore[d] all violence, irrespective of who its perpetrators are,” and stated it “recognize[d] the responsibility of all States to respect the fundamental rights of their people, address their legitimate aspirations and respond to their grievances”¹⁵⁰ through non-military measures. At the same time, India argued that “States also have the obligation to protect their citizens from armed groups and militants,” and while “the right of the people to protest peacefully is to be respected, States cannot but take appropriate action when militant groups – heavily armed – resort to violence against State authority and infrastructure.”¹⁵¹

Syria’s own representative leveraged this argument, highlighting a slew of alleged “crimes” committed by “terrorists” against state security forces over the previous week, claiming that these “armed terrorist groups” had “inaugurated a new era of terrorism”¹⁵² in the country.

According to Syria, it faced a “two-pronged problem”: on the one hand, “the country truly

¹⁴⁶ Ibid., 4.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid., 6.

¹⁵¹ Ibid.

¹⁵² Ibid., 12.

requires economic, political and social reforms,” as “the masses have called for. This is what we are working to achieve.”¹⁵³ On the other hand, a simultaneous challenge was “the misuse of the demands and needs of the masses...to pave the way for external intervention and to call for that intervention.”¹⁵⁴ This, Syria claimed, served “the interest of the agendas of certain parties who oppose Syria on the basis of unfounded pretexts, including the pretext of maintaining international peace and security.”¹⁵⁵ Syria flipped the narrative on Western states, accusing them of double standards in their application of international rules and norms:

Certain Council members have tried of late to intervene in our domestic affairs under the pretext of the protection of civilians. We only wonder here where they have been and why they have not protected civilians in Palestine, the occupied Syrian Golan, Southern Lebanon, Iraq, Afghanistan and Libya, when the citizens of those countries were beleaguered by crimes against humanity and war crimes.¹⁵⁶

Its ambassador further noted that France had recently “extended thanks to Israel for its military action against Syria in 2007,”¹⁵⁷ asking:

Could that not be considered an encouragement and promotion of aggression? Is that not against all the rules and norms of the international community and all ethical principles that reject the use of force as a solution?¹⁵⁸

“Calls from certain circles to topple the legitimate Government of Syria...[are] a glaring violation of the Charter of the United Nations,”¹⁵⁹ Syria continued. It argued that by encouraging “the radical demands of the opposition in Syria to topple the Government by force of arms, violence and terrorism amounts to a coup supported by outside Powers.”¹⁶⁰ Accordingly, Syria “reject[ed] the maneuvers of the sponsors of the resolution,” chiding that “the power of prestige

¹⁵³ Ibid.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid., 13.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

is more important than power itself,” and that since the resolution’s sponsors had “lost the power of prestige”—the trust of fellow UN member states—they had now “resorted to power.”¹⁶¹

This debate underscores how deeply NATO’s implementation of Resolution 1973 in Libya had fractured consensus around a core proposition of R2P: that when violence within a state meets the threshold of atrocity crimes, it becomes a matter of international concern and may justify collective security measures. In Anette Stimmer’s (2025) terms, Libya reignited contestation over the “frame-claim” proposition of R2P’s pillar 3b component—the idea that international community’s responsibility to protect civilians from atrocity crimes (frame) may justify coercive intervention (claim). In the eyes of the BRICS states, that justification no longer held. As a result, Navi Pillay’s briefing did not catalyze decision-making toward coercive measures. It galvanized a Western-majority bloc of states still supportive of this frame-claim logic, but not those who had come to distrust it as a pretext for achieving a different outcome—regime change. Thus, despite being presented evidence of atrocity crimes by senior UN officials, and even amid growing regional condemnation of Assad’s violence, the Council could not even agree in 2011 on a resolution threatening sanctions.

7.4 Conclusion

While R2P has been described as a “casualty”¹⁶² of the Syrian crisis, Syria might be more accurately described as a casualty of contestation over R2P. Security Council inaction in the face of the Assad regime’s violence has become emblematic of the “death” of R2P after Libya—a

¹⁶¹ Ibid.

¹⁶² Mina Al-Oraibi, “‘Responsibility to Protect’ Is One More Casualty of the Syrian War,” *Foreign Policy*, June 14, 2021, <https://foreignpolicy.com/2021/06/14/syria-war-un-security-council-responsibility-to-protect-r2p-humanitarian-intervention-assad-russia-human-rights-civilians/>.

striking failure to respond to one of the most egregious cases of state-led violence against civilians in the twenty-first century, and precisely the scenario the norm was designed to address.¹⁶³ This chapter explained why the Security Council failed to act in 2011 despite the emergence of large-scale violence against civilians. Crucially, Syria lacked a key permissive condition for intervention present in Côte d’Ivoire, Libya, and Sudan: the absence of P5 alignment with the perpetrator state. In Syria, Russian alignment with Assad—driven by political, economic, and strategic interests—combined with NATO’s perceived overreach in Libya to solidify Moscow’s opposition to any international response. At the same time, Russia’s ability to shield Damascus from censure and action was enabled by China and the IBSA bloc, who shared deep skepticism of Western-led intervention efforts under the banner of R2P after Libya.

Furthermore, the Syrian government’s tight control over the internet and media prevented independent verification of early evidence of atrocity crimes, enabling it to deflect accusations of wrongdoing and delay international fact-finding. The initial reluctance of Arab states and regional bodies to publicly condemn Assad—unlike the swift regional condemnation Gbagbo and Qaddafi faced—also slowed Western-led efforts to threaten consequences. Though Arab states, led by those in the Gulf, did eventually denounce the regime’s actions, no comparable request for military intervention emerged. This reflected not only regional political dynamics but also the erosion of support for R2P after Libya, evident in the conspicuous absence of

¹⁶³ Denver Journal of International Law & Policy, “The Death of R2P,” October 24, 2011, <https://djilp.org/the-death-of-r2p/>; Sotiris Paphitis, “‘R2P’: A Doctrine Dead at its Infancy? An Exploration of the Current Status of the International Legal Doctrine of the Responsibility to Protect through the Cases of Libya and Syria,” *King’s Student Law Review and Strife Journal*, Joint Edition: Issue II, December 4, 2019, 81–94, https://blogs.kcl.ac.uk/kslr/files/2019/12/Sotiris-Paphitis-final_021219-2.pdf; Adrian Gallagher, “Farewell the Responsibility to Protect? False Death, Grave Crisis, Future Opportunities,” *International Affairs* 101, no. 2 (March 2025): 483–500, <https://academic.oup.com/ia/article-abstract/101/2/483/8045964>.

references to the norm among the BRICS states and the repeated vetoing of resolutions containing R2P language by China and Russia. Together, these conditions foreclosed the possibility of collective action—both during the critical early window of opportunity in spring 2011 and in the months that followed—despite the regime’s violence escalating in gravity and scale.

Chapter 8

Myanmar

“What are we waiting for? The longer we delay, the more people die. This council is failing in our collective responsibility to safeguard international peace and security. And it is failing the people of Burma.”

– Jeffrey DeLaurentis, 2021

Several years after the outbreak of the civil war in Syria, and amid a broader crisis of multilateralism within the Security Council, violence escalated in Myanmar’s Rakhine State that would fuel a historic refugee crisis.¹ Despite the widespread, systematic commission of murder, sexual violence, village destruction, and forced displacement against the minority Rohingya population—which experts and United Nations (UN) bodies have characterized as crimes against humanity, ethnic cleansing, and genocide—the Council adopted no measures on the situation from 2017 to 2018. After that, efforts to pass a resolution effectively stalled. Members managed only to adopt a presidential statement in November 2017, which condemned the violence and reaffirmed the primary responsibility of the Myanmar government to protect its population.

This chapter analyzes why the Security Council did not intervene in response to the violence against the Rohingya. It argues that, as in the case of Syria, Myanmar did not meet a key permissive condition necessary for intervention: the absence of P5 alignment with the perpetrator state. In this case, China was a staunch backer of the military junta—known as the Tatmadaw—while Russia had strategic incentives to back China in shielding the government. Both countries blocked efforts to designate Myanmar as a threat to international peace and

¹ Eleanor Albert and Lindsay Maizland, “What Forces Are Fueling Myanmar’s Rohingya Crisis?” *Council on Foreign Relations*, January 23, 2020, <https://www.cfr.org/background/rohingya-crisis>.

security, instead framing the crisis as a domestic matter and therefore falling outside the Council's mandate.

However, as in Syria, P5 shielding alone does not explain fully explain inaction. A key “catalyst” was also absent in Myanmar: a regional request for, or endorsement of, international intervention. The Association of Southeast Asian Nations (ASEAN)—which, under its Charter, is formally committed to the principles of non-interference and consensus-based decision-making—played a largely passive role in crisis response. To date, the organization has never publicly condemned the junta's actions or characterized the Rohingya crisis as ethnic cleansing or genocide. ASEAN's muted stance removed any regional pressure that might have constrained China and Russia, as was the case in Libya, enabling these states to block international condemnation and action.

Furthermore, three factors that helped build momentum behind intervention in the positive cases examined were notably absent in the case of Myanmar. First, Secretary-General António Guterres played a limited role in pushing for action. He raised awareness about the Rohingya crisis, publicly condemned the violence, and advocated for accountability, but his influence was constrained by the political dynamics of both the Security Council and ASEAN. Guterres was also an “administrator” than an “advocate” Secretary-General, unlike Kofi Annan or Ban Ki-moon. Had he been more willing to publicly push the Council, this may have intensified pressure on its members to act.

Second, years of contestation surrounding the Responsibility to Protect (R2P) after Libya and Syria had resulted in a state of “norm impasse.” After the Libya intervention, China and Russia, in particular, contested the idea that R2P should override the state sovereignty norm or justify coercive action in situations of atrocity crimes. Lacking a widely accepted norm frame to

guide agreement on intervention measures, Western-led efforts to sanction the Tatmadaw failed to gain traction.

Finally, Myanmar’s military, like Syria’s, was stronger in terms of capacity and capabilities than the governments previously targeted by international forces. Myanmar, located in the Indo-Pacific, also lay outside the major areas of operation for the United States (US) military and NATO, which do not maintain bases in the Andaman and Nicobar Islands or the Bay of Bengal. The combination of the Tatmadaw’s relative military strength and geographic distance from Western rapid response capabilities would have made any Western-led military intervention in Rakhine State highly challenging and risky, likely discouraging serious consideration of military action within or beyond the Council.

Table 8.1 Conditions for UNSC Action in Myanmar

Causal Role	Causal Directness	Condition	Value
Necessary	<i>Proximate</i>	Large-scale violence against civilians during armed conflict	Present
		UN atrocity characterization	Present
		Regional request for/endorsement of intervention	Absent
	<i>Underlying</i>	Absence of P5 alignment	Absent
		Recognition as IPS threat designation under Art. 39	Absent
		Consensus on failure of non-coercive means	Absent
Enabling	<i>Proximate</i>	Secretary-General request for intervention	Absent
	<i>Underlying</i>	R2P salience	Weak
		Perpetrator military strength	Moderate
		Rapid response capabilities	Limited

8.1 The Rohingya Crisis, 2017–2018

The Rohingya, a Muslim ethnic minority who have lived for centuries in Rakhine State of predominantly Buddhist Myanmar, faced decades of persecution before the escalation of violence in 2017.² Since India, under which Rakhine State was formerly governed, gained independence from British rule in 1948, successive governments have denied the Rohingya citizenship and official recognition as an ethnic group.³ Myanmar's first post-independence citizenship law excluded the Rohingya as an "indigenous race of Burma," though it left some pathways to citizenship open.⁴ However, in 1982, the Tatmadaw—which had ousted the civilian government in 1962—introduced a new law that removed even those limited options, effectively denying the Rohingya any path to citizenship and making them the world's largest stateless population.⁵ Rather than citizens of Myanmar, Rohingya are considered illegal immigrants from Bangladesh, despite having lived in Myanmar for generations.⁶

Until 2015, the Rohingya could still register as temporary residents of Myanmar with identification cards known as "white cards," which the junta issued to both Rohingya and non-Rohingya Muslims in the 1990s.⁷ While this system granted the Rohingya limited rights, it did not confer on them full citizenship. In 2010, Myanmar held its first general election after three decades of military rule and successfully transitioned to a quasi-civilian government.⁸ For the first time, Rohingya were allowed to vote using their white cards.⁹ Three years later, the

² United Nations Refugees (UNHCR), "Rohingya Refugee Crisis Explained," August 22, 2024, <https://www.unrefugees.org/news/rohingya-refugee-crisis-explained/>.

³ Council on Foreign Relations (CFR), "What Forces Are Fueling Myanmar's Rohingya Crisis? Backgrounder," last updated January 23, 2020, <https://www.cfr.org/backgrounder/rohingya-crisis>.

⁴ Ibid.

⁵ Ibid.; UNHCR, "Rohingya Refugee Crisis Explained."

⁶ CFR, "What Forces Are Fueling Myanmar's Rohingya Crisis?"

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

government held its first national census in thirty years, initially permitting the group to identify as ethnically Rohingya.¹⁰ Under pressure from Buddhist ultranationalists, however, the government ultimately decided that Rohingya could only register if they identified as Bengali. By 2015, then-President Thein Sein canceled the white card system altogether, effectively revoking the Rohingya's newly gained right to vote.¹¹ Since 2016, Rohingya have been forced to carry national identification cards that classify them as foreign nationals, a policy that denies their Rohingya identity.¹²

Alongside their systematic disenfranchisement, the Rohingya have endured a long, entrenched history of state-sponsored violence. These abuses escalated markedly in the late 1980s, when unrest spread throughout Myanmar amid a pro-democracy uprising.¹³ To divert public attention, the military launched a fresh campaign against the Rohingya titled "Clean and Beautiful Nation," during which soldiers executed, raped, and assaulted Rohingya and destroyed their houses and property.¹⁴ In response, more than 250,000 Rohingya fled to Bangladesh between 1991 and 1992. Throughout the 1990s, coordinated military action against the Rohingya intensified, marked by large-scale, systematic violence.

One such tactic was the destruction of Rohingya villages and forced population transfers.¹⁵ According to Human Rights Watch, between 1996 and 2007, Myanmar's military systematically destroyed or forcibly displaced some 3,600 villages in ethnic minority areas.¹⁶ By

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

¹³ United States Holocaust Memorial Museum (USHMM), "More Violent Attacks," in *Burma's Path to Genocide*, <https://exhibitions.ushmm.org/burmas-path-to-genocide/chapter-2/more-violent-attacks>.

¹⁴ Ibid.

¹⁵ Paulo Sérgio Pinheiro and Meghan Barron, "Burma (Myanmar)," in *The Responsibility to Protect* (2011; online ed., Oxford Academic, January 19, 2012), 263, <https://doi.org/10.1093/acprof:oso/9780199797769.003.0029>.

¹⁶ Ibid.

2011, an estimated half a million Rohingya were internally displaced.¹⁷ Additionally, UN and other international human rights bodies documented the widespread use of extrajudicial killings as a means to instill fear among the civilian population.¹⁸ This pattern included executing detainees, enforcing “shoot on sight” policies, and murder as collective punishment.¹⁹ The military also employed torture as a method of punishing or deterring civilian support for resistance groups and as a routine interrogation tactic against political prisoners.²⁰ Furthermore, rape and other forms of sexual violence were systematically used as a tool of repression, with women’s organizations and the UN Special Rapporteur on Myanmar detailing hundreds of reports of rape from 1998 to 2006.²¹

These longstanding tensions came to a head in May 2012, when a Buddhist Rakhine woman was gang raped and murdered. State media reported that the perpetrators were Muslim, broadcasting images of slain women that quickly went viral.²² In response, a mob pulled ten Muslim men from a bus and beat them to death, triggering violent clashes between Muslim and Buddhist communities in Rakhine State.²³ As the unrest spread, some 500 houses and buildings were destroyed.²⁴ An official press release stated that the riots resulted in the deaths of 88 people, including 57 Rohingya, though the human rights organization Equal Rights Trust reported a far higher toll of 650 dead and 1,200 missing.²⁵ Meanwhile, the UN Office of the High

¹⁷ Ibid.

¹⁸ Ibid., 264.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid., 265–266.

²² Mohammad Musfequs Salehin, “The Rohingya Crisis: Background on Myanmar, the Current Conflict, and Relevant Actors,” in *Gendered Vulnerabilities and Violence in Forced Migration*, (Cham: Palgrave Macmillan, 2024), 30, https://doi.org/10.1007/978-3-031-62435-3_3.

²³ International Crisis Group, “Myanmar Conflict Alert: Preventing Communal Bloodshed and Building Better Relations,” June 12, 2012, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/myanmar-conflict-alert-preventing-communal-bloodshed-and-building-better-relations>.

²⁴ Ibid.

²⁵ Salehin, “The Rohingya Crisis,” 30.

Commissioner for Human Rights (OHCHR) estimated that the riots displaced approximately 75,000 people, the majority of whom were Rohingya.²⁶ In October, tensions reignited when a mob killed a Rakhine merchant for selling rice to a Muslim customer, sparking three days of riots across nine townships.²⁷ Several hundred people were killed in the violence, and entire Muslim neighborhoods and villages razed to the ground.²⁸ Human Rights Watch later estimated that intercommunal violence in 2012 displaced approximately 125,000 Rohingya and other Muslims.²⁹

The following years witnessed continued incidents of violence against the Rohingya and escalating levels of persecution. After the 2012 riots, the government forced 10,000 Rohingya in the capital of Rakhine State to abandon their homes before leveling them with bulldozers.³⁰ Hate speech against the Rohingya surged from Buddhists ultranationalists and the government, which spread racist, hateful content through state media.³¹ Viral examples included the false claim that the Rohingya are not native to Myanmar, dehumanizing language comparing Rohingya to fleas, thorns, and invasive species of trees, and speech portraying the group as a threat to the state and Buddhist citizens.³²

²⁶ UNHCR, *One Year On: Displacement in Rakhine State, Myanmar*, June 2013, <https://www.unhcr.org/en-ie/news/briefing/2013/6/51b1af0b6/year-displacement-rakhine-state-myanmar.html>.

²⁷ Adam Gittleman, Michael Brodney, and Holly G. Atkinson, *Patterns of Anti-Muslim Violence in Burma: A Call for Accountability and Prevention* (New York: Physicians for Human Rights, 2013), 12, https://academicworks.cuny.edu/cgi/viewcontent.cgi?article=1462&context=cc_pubs.

²⁸ Ibid.

²⁹ Human Rights Watch, “All You Can Do Is Pray”: Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burma’s Arakan State (New York: Human Rights Watch, 2013), <https://www.hrw.org/report/2013/04/22/all-you-can-do-pray/crimes-against-humanity-and-ethnic-cleansing-rohingya-muslims>.

³⁰ USHMM, “The Tipping Point,” in *Burma’s Path to Genocide*, <https://exhibitions.ushmm.org/burmas-path-to-genocide/chapter-2/the-tipping-point>.

³¹ Ibid.

³² USHMM, “Hate Speech That Targets Rohingyas’ Humanity,” in *Burma’s Path to Genocide*, <https://exhibitions.ushmm.org/burmas-path-to-genocide/chapter-3/hate-speech-that-targets-rohingyas-humanity>.

In response to years of tightening restrictions and increased persecution, an insurgent group known as the Arakan Rohingya Salvation Army (ARSA) launched coordinated attacks on Myanmar police posts in March 2016, resulting in the deaths of nine officers.³³ The Tatmadaw retaliated by launching a fresh campaign of violence against the Rohingya, burning down entire villages and prompting tens of thousands to flee.³⁴ Intermittent fighting between the military and ARSA continued throughout 2017, culminating in a second wave of ARSA attacks on police posts in August. The government immediately declared ARSA a terrorist organization, and, claiming that the Rohingya were an imminent threat to national scrutiny, launched a “clearance operation” on August 25 across Rakhine State.³⁵ State security forces massacred men, women, and children and burned down hundreds of villages, forcing nearly 700,000 Rohingya to flee.³⁶ The medical organization Doctors Without Borders estimates that at least 9,000 people were killed in the first month of the attacks.³⁷

On September 28, a month after the military escalated its attacks, the Security Council held a public briefing on the situation in Myanmar during which Secretary-General António Guterres described a “deeply disturbing pattern of violence”³⁸ and called for “immediate steps”³⁹ from Myanmar authorities to protect the Rohingya. These included an immediate halt to military operations, humanitarian access, and the safe return of displaced civilians. Many Council

³³ Aung Naing Soe, “Myanmar Says 9 Police Killed in Arakan Army Attack,” *Associated Press*, updated March 10, 2019, <https://apnews.com/general-news-0eed32ac02d14a89975b0dfd970f8554>.

³⁴ USHMM, “How the Rohingya Responded,” in *Burma’s Path to Genocide*, <https://exhibitions.ushmm.org/burmas-path-to-genocide/chapter-3/how-the-rohingya-responded>.

³⁵ USHMM, “Chapter 4: Destroyed,” in *Burma’s Path to Genocide*, <https://exhibitions.ushmm.org/burmas-path-to-genocide/chapter-4>.

³⁶ *Ibid.*

³⁷ Médecins Sans Frontières (Doctors Without Borders), “MSF Surveys Estimate That at Least 6,700 Rohingya Were Killed During the Attacks in Myanmar,” December 14, 2017, <https://www.doctorswithoutborders.org/latest/msf-least-6700-rohingya-killed-during-attacks-myanmar>.

³⁸ United Nations Security Council (UNSC), S/PV.8060, August 28, 2017, <https://undocs.org/en/S/PV.8060>, 2.

³⁹ *Ibid.*

members reiterated Guterres's appeals, but no concrete proposals emerged. Instead, the United Kingdom drafted a resolution urging accountability measures, but failed to gain support from China and Russia.⁴⁰ Two months later, on November 6, the Council adopted a presidential statement condemning the August 25 attacks and urging the government to ensure no further excessive use of military force.⁴¹

The presidential statement was the only document on which the Security Council would reach a consensus from 2017 to 2018, after which efforts to pass a resolution on Myanmar faltered. During that time, an international consensus solidified that Myanmar was committing ethnic cleansing and genocide. As early as September 2017, the High Commissioner for Human Rights described the Rohingya crisis as a “textbook example of ethnic cleansing.”⁴² Both the Special Advisors on Genocide and the Responsibility to Protect, as well as the Special Rapporteur on Myanmar, warned of potential atrocity crimes, while multiple human rights organizations accused the military of ethnic cleansing, crimes against humanity, and genocide.⁴³

⁴⁰ Security Council Report, “Myanmar: Adoption of a Presidential Statement,” *What’s in Blue*, November 6, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/11/myanmar-adoption-of-a-presidential-statement.php>.

⁴¹ Ibid.

⁴² United Nations (UN) News, “UN Human Rights Chief Points to ‘Textbook Example of Ethnic Cleansing’ in Myanmar,” September 11, 2017, <https://news.un.org/en/story/2017/09/564622-un-human-rights-chief-points-textbook-example-ethnic-cleansing-myanmar>.

⁴³ United Nations (UN) Press, *Statement by the UN Special Advisors on the Prevention of Genocide and the Responsibility to Protect on the Situation in Northern Rakhine State, Myanmar*, October 19, 2017, https://www.un.org/en/genocideprevention/documents/20171019%20Statement_Myanmar_Final.pdf; Amnesty International, “Myanmar: New Evidence of Systematic Campaign to Terrorize and Drive Rohingya Out,” October 18, 2017, <https://www.amnesty.org/en/latest/news/2017/10/myanmar-new-evidence-of-systematic-campaign-to-terrorize-and-drive-rohingya-out/>; Human Rights Watch, “Crimes Against Humanity by Burmese Security Forces Against Rohingya Muslim Population in Northern Rakhine State Since August 25, 2017,” September 25, 2017, <https://www.hrw.org/news/2017/09/25/crimes-against-humanity-burmese-security-forces-against-rohingya-muslim-population>; Fortify Rights, “They Gave Them Long Swords: Preparations for Genocide and Crimes Against Humanity Against Rohingya Muslims in Rakhine State, Myanmar,” July 19, 2018, PDF, https://www.fortifyrights.org/downloads/Fortify_Rights_Long_Swords_July_2018.pdf.

In September 2018, the UN fact-finding mission on Myanmar published a report concluding that the Myanmar government had “genocidal intent” against the Rohingya.⁴⁴

Following the report’s publication, the United Kingdom made a second attempt at tabling a resolution in the Security Council. Far from proposing coercive action, the draft aimed to establish a reporting mechanism on Myanmar’s progress in investigating alleged human rights abuses in Rakhine State and implementing international recommendations to resolve the conflict, threatening to consider sanctions if adequate progress was not made. Facing strong opposition from China and Russia, however, Britain ultimately withdrew the draft in December.⁴⁵ To date, the Council has taken no meaningful action on the Rohingya crisis, only adopting a resolution on Myanmar in 2022 in response to a military coup.⁴⁶ Beyond condemning the coup itself, the resolution encouraged diplomatic efforts to address the “issues”⁴⁷ facing the Rohingya, but authorized no concrete measures to protect them.

As in Syria, the Security Council’s inaction in response to a situation widely described as “textbook” ethnic cleansing and genocide contrasts starkly with its forceful actions in Côte d’Ivoire, Libya, and Sudan. This chapter explains why the Council once again failed to act. The following sections more closely examine the Council’s response to the Rohingya crisis, showing how, with China and Russia shielding Myanmar, ASEAN silent, and R2P all but absent from Security Council discourse, the process leading to intervention stalled, even as UN officials sounded the alarm about mass atrocities.

⁴⁴ United Nations Human Rights Council (UNHRC), *Report of the independent international fact-finding mission on Myanmar*, A/HRC/39/64, released August 27, 2017 (published September 12, 2018), <https://undocs.org/A/HRC/39/64>.

⁴⁵ Security Council Report, “Myanmar: Briefing on Latest Developments,” *What’s in Blue*, January 2019, <https://www.securitycouncilreport.org/whatsinblue/2019/01/myanmar-briefing-on-latest-developments.php>.

⁴⁶ UNSC, S/RES/2669, December 21, 2022, [https://undocs.org/S/RES/2669\(2022\)](https://undocs.org/S/RES/2669(2022)).

⁴⁷ *Ibid.*, 3.

8.2 The Escalation of Large-Scale Violence Against Civilians During Armed Conflict and UN Atrocity Warnings

On August 30, 2017, the Security Council received a briefing on the situation in Myanmar from Assistant Secretary-General for Political Affairs Miroslav Jenča under the agenda item “any other business” (AOB), which enables members to raise new or pressing issues not on the official agenda.⁴⁸ The last briefing had taken place in March that year, also under AOB, amid reports of escalating violence against the Rohingya. That same month, the Human Rights Council established the Independent International Fact-Finding Mission on Myanmar (IIFMM) to establish the facts and circumstances around alleged human rights violations and abuses by state security forces in Rakhine State.⁴⁹ Though Myanmar had been on the Council’s agenda since 2006 and had previously been the subject of regular briefings, these had become more discreetly conducted under AOB since 2014, due to China’s reluctance to publicly address the issue.⁵⁰

The anticipation of Chinese resistance led other Security Council members to delay publicly addressing the Rohingya crisis in 2017. According to *Security Council Report*, despite a steady deterioration of the situation in Rakhine State and mounting evidence of serious abuses, most members showed little interest in holding regular briefings.⁵¹ With China maintaining a cautious stance, they recognized that achieving a substantive outcome “would be difficult.”⁵²

⁴⁸ Security Council Report, “Consultations on Myanmar,” *What’s in Blue*, August 30, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/08/consultations-on-myanmar.php>.

⁴⁹ UNHRC, “Human Rights Council Decides to Dispatch Fact-Finding Mission to Myanmar to Establish the Facts Regarding Alleged Recent Human Rights Violations by Military and Security Forces,” March 24, 2017, <https://www.ohchr.org/en/press-releases/2017/03/human-rights-council-decides-dispatch-fact-finding-mission-myanmar-establish>.

⁵⁰ Security Council Report, “Myanmar: Briefing under ‘Any Other Business’,” *What’s in Blue*, September 12, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/09/myanmar-briefing-under-any-other-business.php>

⁵¹ Security Council Report, “Consultations on Myanmar.”

⁵² *Ibid.*

Still, the evidence emerging in late August was stark. A day earlier, Human Rights Watch had reported satellite data “consistent with widespread burnings in at least 10 areas in northern parts of Burma’s Rakhine State.”⁵³ According to *Security Council Report*, members were actively seeking information from Jenča on whether the violence was ongoing, if there was evidence arson had caused the fires, and whether the situation was at risk of further deterioration.⁵⁴

Two weeks later, on September 13, the Security Council received another briefing under AOB from Under-Secretary-General for Political Affairs Jeffrey Feltman, at the request of Sweden and the United Kingdom. Given that the Council had not adopted a formal outcome on Myanmar in a decade, members did not expect to negotiate a resolution, though *Security Council Report* noted some prospect for agreement on a press statement.⁵⁵ The violence in Rakhine State had escalated rapidly over the previous two weeks: in early September, *Deutsche Welle* and *The Washington Post* reported that at least 400 people had been killed since the Tatmadaw launched its military operation on August 25.⁵⁶ Just one week later, the Special Rapporteur on Myanmar warned that the death toll could be as high as 1,000, while the Office of the High Commissioner for Refugees (UNHCR) reported that 370,000 refugees had fled to Bangladesh.⁵⁷

Significantly, senior UN officials immediately characterized the violence against the Rohingya as potential crimes. On September 11, UN High Commissioner for Human Rights Zeid Ra’ad al-Hussein told the Human Rights Council that the situation in Rakhine State seemed to be

⁵³ Human Rights Watch, “Burma: Satellite Data Indicate Burnings in Rakhine State,” August 29, 2017, <https://www.hrw.org/news/2017/08/30/burma-satellite-data-indicate-burnings-rakhine-state>.

⁵⁴ Security Council Report, “Consultations on Myanmar.”

⁵⁵ Security Council Report, “Myanmar: Briefing under ‘Any Other Business’.”

⁵⁶ Ashutosh Pandey, “Death Toll in Myanmar Violence Surges to 400,” *DW*, September 1, 2017, <https://www.dw.com/en/death-toll-in-myanmar-violence-surges-to-400-amid-rohingya-exodus-to-bangladesh/a-40332921>.

⁵⁷ Al Jazeera, “UN: 270,000 Rohingya Fled to Bangladesh in Two Weeks,” September 8, 2017, <https://www.aljazeera.com/news/2017/9/8/un-270000-rohingya-fled-to-bangladesh-in-two-weeks>; Security Council Report, “Myanmar: Briefing under ‘Any Other Business’,” *What’s in Blue*, September 12, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/09/myanmar-briefing-under-any-other-business.php>.

“textbook example of ethnic cleansing” and that the government’s response was “clearly disproportionate” and “without regard for basic principles of international law.”⁵⁸ Meanwhile, in a letter to the Council’s president, Guterres urged members to press for restraint and full respect for human rights and humanitarian law. When asked whether he agreed with al-Hussein’s characterization of the violence, Guterres replied: “When one-third of the Rohingya population had to flee the country, can you find a better word to describe it?”⁵⁹

Given the “clearly deteriorating situation” in Myanmar and Guterres’s letter, *Security Council Report* observed that the Security Council might now find space to take a more active role. Most members “[did] not seem willing to push for more public discussions,” partly because they believed China would strongly oppose such a move, and because they recognized that the UN, if it wished to play a mediator role, could not alienate the Myanmar government.⁶⁰ However, if the situation continued to deteriorate, a stronger push for a robust response was expected.

On September 28, Guterres directly briefed the Security Council on the situation in Myanmar at the request of the P3, as well as of Egypt, Kazakhstan, Senegal, and Sweden. It marked the first public briefing on Myanmar since July 2009, and followed weeks of heightened international attention on the crisis, including ministerial meetings on the margins of the General Assembly high-level week between ASEAN and the Organisation of Islamic Cooperation (OIC).⁶¹ The situation in Myanmar was particularly sensitive within ASEAN, whose charter commits it to consensus-based decision-making and a policy of non-interference in the “internal

⁵⁸ UN News, “UN Human Rights Chief Points to ‘Textbook Example of Ethnic Cleansing’ in Myanmar.”

⁵⁹ UN Press, “Press Conference by Secretary-General António Guterres at United Nations Headquarters on the Situation in Myanmar,” SG/SM/18676, August 30, 2017, <https://press.un.org/en/2017/sgsm18676.doc.htm>.

⁶⁰ Security Council Report, “Myanmar: Briefing under ‘Any Other Business’.”

⁶¹ Security Council Report, “Myanmar: Public Briefing by the Secretary-General,” *What’s in Blue*, September 27, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/09/myanmar-public-briefing-by-the-secretary-general.php>.

affairs” of its members.⁶² While Malaysia had openly criticized the violence, ASEAN members were unable to reach a consensus on a joint statement.⁶³ Instead, the chair of ASEAN issued a statement expressing concern over the “events” in Rakhine State, condemning the August 25 attacks against Myanmar security forces and all acts of violence, and calling on all parties to avoid escalatory actions.⁶⁴ (In an unusual move, Malaysia dissociated itself from the statement, arguing that it misrepresented the situation by omitting any reference to the Rohingya.⁶⁵)

Guterres directly addressed the issue of competing narratives in his briefing, urging Security Council members to “review what we know about the military operations that have taken place since 25 August.”⁶⁶ He noted, “[w]hile there have been competing narratives in a highly complex environment, certain elements are clear,”⁶⁷ including the fact that 500,000 civilians had fled to Bangladesh, with most abandoned villages being majority Muslim. Testimonials pointed to “excessive violence and serious human rights violations, including indiscriminate firing of weapons, the presence of landmines and sexual violence,” with Myanmar authorities themselves indicating that “at least 176 of 471 Muslim villages in northern Rakhine have been totally abandoned.”⁶⁸ Describing this pattern of violence and the “ensuing large movements of an ethnic group from their homes”⁶⁹ as “disturbing,”⁷⁰ Guterres called on Myanmar to “fulfil [its] fundamental obligation to ensure the safety and security of all communities and to uphold the rule of law without discrimination,”⁷¹ as well as for the

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ S/PV.8060, 2.

⁶⁷ Ibid.

⁶⁸ Ibid.

⁶⁹ Ibid.

⁷⁰ Ibid.

⁷¹ Ibid., 3.

resumption of humanitarian access and the voluntary return of refugees. He stressed that the UN would remain a “close partner to Myanmar” with “no agenda other than to help Myanmar advance the well-being of all the country’s people,” urging the Council to “stand united and support [UN] efforts to urgently end this tragedy.”⁷²

Many Security Council members—including the P3, Egypt, Kazakhstan, Senegal, and Sweden—reiterated Guterres’s characterization of the violence and calls for action. The United Kingdom stated: “We have all heard the reports. We have all heard of the extrajudicial killings and the burning of villages. We have heard of the cruelty, the sexual violence, and the landmines laid along routes taken by refugees.”⁷³ The British ambassador emphasized that the vast majority of victims were Rohingya, stressing: “Make no mistake—this is a human tragedy and an acute humanitarian crisis that has exploded with almost unprecedented speed.”⁷⁴

The United States was similarly forceful, lamenting that, though it had “tried to engage the Burmese military at the highest levels” and “supported regional efforts to de-escalate the violence and expand humanitarian access,” the exodus of “terrified, injured people from Burma continues, while the government refuses to acknowledge the seriousness of the situation.”⁷⁵ The United States reiterated its condemnation of the August 25 ARSA attacks against police posts and reported violence against other minority groups. “But what has happened since then dwarfs those attacks with its disproportionate, indiscriminate violence,” it stated, declaring: “We cannot be afraid to call the actions of the Burmese authorities what they appear to be—a brutal, sustained campaign to cleanse the country of an ethnic minority.”⁷⁶ Its ambassador noted that the

⁷² Ibid., 4.

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid., 5.

⁷⁶ Ibid., 6.

Myanmar government “claims it is battling terrorists,” but retorted: “If that was the problem, let the military explain how killing children and forcing families from their homes will make Burma any safer.”⁷⁷ “The time for well-meaning diplomacy has passed,” and it was now up to the Security Council to “consider action against the Burmese security forces.”⁷⁸

Implicit in these statements was the claim that the Myanmar government was the main perpetrator fueling atrocities, and that the crisis constituted a threat to—if not an outright breach of—international peace and security, warranting possible international action. Other members advanced this framing, including Senegal and Kazakhstan. Senegal stressed that, after the preliminary discussions the Security Council held on Myanmar under AOB, “it appears to us that the time has come to undertake substantive discussions...on how we are going to follow up on this briefing” and the “growing threat to international peace and security”⁷⁹ posed by the crisis. Kazakhstan also warned that the conflict could “serve as fertile ground for domestic and international terrorism,” which could “spread beyond Myanmar and become a source of threat to regional, and, over time, even international peace and security.”⁸⁰

However, China and Russia resisted labeling the crisis as such a threat. In its statement, China condemned the “recent violent attacks on Myanmar’s Rakhine State,”⁸¹ without naming the perpetrators—a deliberate ambiguity that likely referred to the ARSA attacks on police posts, rather than violence against the Rohingya. It expressed support for “Myanmar’s effort to maintain domestic stability,” noting that the government had taken measures to “ease the situation in Rakhine State,” and claimed: “As we speak, the situation on the ground is beginning

⁷⁷ Ibid.

⁷⁸ Ibid.

⁷⁹ Ibid., 7.

⁸⁰ Ibid., 13.

⁸¹ Ibid., 14.

to stabilize.”⁸² Rather than condemning the government, China urged “all parties” to work constructively to de-escalate the situation and alleviate humanitarian conditions, encouraging the international community to “exerci[se] patience.”⁸³

While China was characteristically sparse with its words, Russia went to significant lengths to defend Myanmar. It emphasized that the crisis was “provoked first and foremost by the fighters of [ARSA]” and “resolutely condemn[ed] their armed attempts to undermine efforts to stabilize the situation.”⁸⁴ Contrary to nearly all other members, Russia argued that the situation was “far from unequivocal,”⁸⁵ claiming it had received evidence of the “involvement of [ARSA] in the massacre of civilians”⁸⁶ and that these “extremists”⁸⁷ had forced Hindus to flee to Bangladesh along with Muslims. Russia alleged there was evidence that ARSA “terrorists”⁸⁸ had carried out arson attacks on villages, suggesting that “the initiators of the outbreak of violence in Rakhine State have sought to maximize the scale of the humanitarian catastrophe and shift all blame for it to the government.”⁸⁹ To resolve the crisis, Russia, like China, stressed the need to “seek the constructive involvement of the government and representatives of all nationalities and faiths.”⁹⁰ In other words, it urged a conflict resolution approach focused on reaching consensual agreement among conflict parties, rather than authorizing targeted measures to deter the perpetrators.

These statements indicate that although concern existed within the Security Council about the Rohingya crisis, there were “different views...in terms of how to assess and approach

⁸² Ibid., 15

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Ibid.

[it].”⁹¹ In other words, there were divergent views on both the causes and nature of the violence and the appropriate actions to take, delaying a decisive response. As *Security Council Report* observed, several members, “while condemning the attacks of ARSA, [had] been particularly disturbed by the response of Myanmar’s military, attributing to it much of the blame for the current crisis,” whereas Russia mainly criticized ARSA for instigating the violence. Moreover, while “some members [wanted] the Council to take [decisive] action to address the situation,” China advocated a more cautious approach.⁹²

Although the Security Council stalled throughout September, in early October, a shift emerged as several members expressed interest in a stronger outcome, prompting France and the United Kingdom to draft a resolution.⁹³ The text was first discussed among the P3, then shared with China and Russia, who were unwilling to engage and “made it very clear that [they] did not think that the timing was right for a Council outcome on the situation.”⁹⁴ On October 23, the text was shared with all 15 Council members, with negotiations scheduled for the following day, but both China and Russia declined to join the discussions.⁹⁵ When the first negotiation on the text took place on October 27, China and Russia still refused to engage.⁹⁶

Over the following days, France and the United Kingdom held extensive discussions with China and were able to secure agreement on a presidential statement. Russia, which had reportedly refused to engage in support of China, also agreed to the alternative format.⁹⁷ The statement was largely based on the draft resolution, but several changes were made to

⁹¹ Security Council Report, “Myanmar: Arria-formula Meeting,” *What’s in Blue*, October 12, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/10/myanmar-arria-formula-meeting.php>.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ Security Council Report, “Myanmar: Adoption of a Presidential Statement,” *What’s in Blue*, November 6, 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/11/myanmar-adoption-of-a-presidential-statement.php>.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Ibid.

accommodate China’s concerns. According to *Security Council Report*, the most contentious issue had been the Rohingya’s citizenship status.⁹⁸ As a result, references to the recommendations of the Advisory Commission on Rakhine State—an independent commission established by Myanmar in 2016 advocating for pathways to citizenship—were removed.⁹⁹

The statement also compromised on references to the Myanmar FFM and a request that the Secretary-General appoint a Special Envoy on Myanmar. The draft removed any reference to the IIFFMM, instead calling on the government to cooperate with “[a]ll relevant UN bodies, mechanisms, and instruments.”¹⁰⁰ It also softened language regarding the Special Envoy, encouraging the Secretary-General to “consider, as appropriate” rather than explicitly request the appointment.¹⁰¹ Notably, a request for the Secretary-General to brief the Council on developments in Myanmar was retained, though the timeline was extended from 15 to 30 days—a considerable delay for an escalating situation of risk.

On November 6, the Security Council ultimately adopted a presidential statement, its first formal document on the Rohingya crisis. The Council “condemned the attacks against Myanmar security forces carried out by the Arakan Rohingya Salvation Army (“ARSA”) on 25 August Rakhine State” and expressed “grave concern over accounts that ARSA has been responsible for human rights abuses.”¹⁰² It then expressed concern over “reports of human rights violations and abuses in Rakhine State, including by Myanmar security forces, in particular against persons belonging to the Rohingya community,” and stressed the “primary responsibility of the Government of Myanmar to protect its population.”¹⁰³ The statement outlined several actionable

⁹⁸ Ibid.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

¹⁰¹ Ibid.

¹⁰² UNSC, S/PRST/2017/22, November 6, 2017, 1, <https://docs.un.org/S/PRST/2017/22>.

¹⁰³ Ibid.

steps, including urging the government “to ensure no further excessive use of military force in Rakhine State.”¹⁰⁴ It also called for “counter[ing] incitement to violence or hatred and restor[ing] peace and inter-communal harmony through dialogue, a comprehensive reconciliation process and by respecting the rule of law.”¹⁰⁵ On the one hand, as *Security Council Report* noted, the adoption of a presidential statement and agreement on a public briefing “mark[ed] a shift in the Council’s passive approach to this situation in recent years.”¹⁰⁶

On the other hand, there was still no consensus that the situation constituted a threat to international peace and security, despite reports of suspected atrocity crimes, cross-border refugee flows, and a direct threat to Myanmar state authority. As was the case in Syria, China and Russia, in particular, resisted this designation, which would have brought Myanmar within the Security Council’s mandate and created the basis for enforcement action. China vaguely condemned the “attacks” without assigning responsibility, framed the operation in Rakhine State as an effort to restore domestic stability, and claimed the situation was beginning to stabilize. Russia went further, countering the prevailing narrative by disputing the claim that the facts were “unequivocal.” Far from naming and shaming Myanmar, Russia blamed ARSA for provoking the crisis, arguing that it had *intended* to trigger a humanitarian crisis by attacking police posts. It also branded ARSA as “terrorists” and “extremists” seeking to destabilize the country—instability that, in reality, stemmed from the Tatmadaw’s disproportionate response and a long history of violence and persecution.

A critical question arises: why, exactly, did China and Russia align with Myanmar?

China’s reasons for supporting the government were more straightforward. China and Myanmar,

¹⁰⁴ Ibid.

¹⁰⁵ Ibid., 2

¹⁰⁶ Security Council Report, “Myanmar: December 2017 Monthly Forecast,” *Monthly Forecast*, posted November 30, 2017, <https://www.securitycouncilreport.org/monthly-forecast/2017-12/myanmar.php>.

which share a 2,000-kilometer border, maintained a close strategic partnership based on strong economic, diplomatic, and military cooperation.¹⁰⁷ Myanmar became the first non-communist countries to recognize the People’s Republic of China in 1950, while China deepened its partnership with Myanmar after it faced Western sanctions for violently suppressing a pro-democracy movement in 1988.¹⁰⁸ In 2010, China backed Myanmar’s military-led election despite concerns about its fairness and inclusivity, with analysts concluding that Beijing sought to maintain a predictable and stable neighbor while upholding its foreign policy principle of non-interference.¹⁰⁹ Myanmar also provided China with strategic access to the Indian Ocean, which facilitated trade with global markets and strengthened China’s naval presence in the Indo-Pacific.¹¹⁰ By the 2010s, China had become Myanmar’s largest trading partner and investor, funding major infrastructure and energy projects under its Belt and Road Initiative, including the China-Myanmar Economic Corridor (CMEC).¹¹¹

¹⁰⁷ Sydney Tucker, “Update on China-Myanmar Relations,” *Stimson Center*, June 27, 2024, <https://www.stimson.org/2024/major-events-in-china-myanmar-relations/>.

¹⁰⁸ Leif-Eric Easley and Sea Young Kim, “What China’s Involvement in Myanmar Says About Asia’s Changing Regional Order,” *Australian Institute of International Affairs*, December 12, 2019, <https://www.internationalaffairs.org.au/australianoutlook/what-chinas-involvement-in-myanmar-says-about-asias-changing-regional-order>.

¹⁰⁹ International Crisis Group, “China’s Myanmar Strategy: Elections, Ethnic Politics and Economics,” September 21, 2010, <https://www.crisisgroup.org/asia/south-east-asia/myanmar/china-s-myanmar-strategy-elections-ethnic-politics-and-economics>.

¹¹⁰ Yuka Kobayashi and Josephine King, “Myanmar’s Strategy in the China–Myanmar Economic Corridor: A Failure in Hedging?” *International Affairs* 98, no. 3 (May 2022): 1013–32, <https://doi.org/10.1093/ia/iia049>; Nehchal Singh and Shashank Joshi, “Myanmar in the U.S. Indo-Pacific Strategy: Why Is China Winning and What to Do about It,” *Journal of Indo-Pacific Affairs* (August 26, 2021), <https://www.airuniversity.af.edu/JIPA/Display/Article/2747535/myanmar-in-the-us-indo-pacific-strategy-why-is-china-winning-and-what-to-do-abo/>.

¹¹¹ Isabel Hilton, *China in Myanmar: Implications for the Future* (Oslo: Norwegian Peacebuilding Resource Centre, October 2013), <https://www.files.ethz.ch/isn/172094/822f00b4d7da6439a3252789b404f006.pdf>; Bhavna Singh, “Myanmar Elections 2010 – IV: China and the Charade,” *Institute of Peace & Conflict Studies* (November 3, 2010), https://www.ipcs.org/comm_select.php?articleNo=3276; Lucas Myers, “The China-Myanmar Economic Corridor and China’s Determination to See It Through,” *Wilson Center Asia Dispatches*, May 26, 2020, <https://www.wilsoncenter.org/blog-post/china-myanmar-economic-corridor-and-chinas-determination-see-it-through>.

Yet, P5 alignment with perpetrator states is not always driven by close forms of cooperation. For most of their seven decades of diplomatic ties, Russia-Myanmar relations were “insubstantial.”¹¹² In this case, Russia’s willingness to shield Myanmar stemmed from strategic interests that became entrenched following the 2011 NATO intervention in Libya. Similar to its approach in Syria, Russia sought to expand its global footprint in Asia, counter-balance Western influence and position itself as a supporter of non-Western, authoritarian regimes, and prevent international intervention under humanitarian pretexts.¹¹³ By 2017, however, it pursued these goals within the Security Council even more assertively—from Myanmar to the ongoing civil war in Syria and beyond.

This shift primarily resulted from the return of an ideologically hardened Vladimir Putin to power in 2012. Under Putin’s third presidency, Russia had grown increasingly authoritarian and overhauled its foreign policy doctrine, departing from his predecessor Dmitry Medvedev’s strategy of focusing on economic growth and rapprochement with the West. Instead, Putin embraced a more assertive, militarized foreign policy aimed at restoring Russia’s global influence, challenging Western dominance, reorienting its economic and strategic ties toward the East, and protecting regime security by any means necessary.¹¹⁴

Though experts debate the exact causes of this overhaul, the 2008 Russo-Georgian war, the Arab Spring, and NATO’s intervention in Libya are widely considered key catalysts. In particular, the 2011 uprisings across the Middle East and North African were a “painful

¹¹² Ian Storey, “Myanmar–Russia Relations Since the Coup: An Ever-Tighter Embrace”, *ISEAS Perspective* 2023/92 (October 2023), https://www.iseas.edu.sg/wp-content/uploads/2023/10/ISEAS_Perspective_2023_92.pdf, 3.

¹¹³ Ibid.; Dmitry Gorenburg, “Russian Foreign Policy Narratives,” *Security Insights* (November 2019), <https://www.marshallcenter.org/en/publications/security-insights/russian-foreign-policy-narratives>.

¹¹⁴ Yuri Barmin, *Russia in the Middle East until 2024: From Hard Power to Sustainable Influence* (Washington, DC: Jamestown Foundation, March 8, 2018), <https://jamestown.org/wp-content/uploads/2018/03/Yuri-Barmin-WS3-Predictions-to-2024.pdf>; Roger Cohen, “The Making of Vladimir Putin: Tracing Putin’s 22-Year Slide from Statesman to Tyrant,” *The New York Times*, March 26, 2022, <https://www.nytimes.com/2022/03/26/world/europe/vladimir-putin-russia.html>.

reminder”¹¹⁵ for Putin of the Color Revolutions that swept through several post-Soviet states in the early 2000s, events he believed were foreign-instigated. This, combined with Qaddafi’s violent ouster, convinced Putin that Western-backed regime change could one day threaten Russia itself. According to Mark Medish, former senior director for Russian, Ukrainian and Eurasian affairs at the US National Security Council under Bill Clinton, Putin was “haunted by the brutal takeout of Qaddafi,” and reportedly “replayed the videos again and again.”¹¹⁶ The elimination of a dictator, *The New York Times*’ Roger Cohen observed, “felt personal” and was “yet further confirmation of America’s international lawlessness.”¹¹⁷

At the same time, China had followed a similar trajectory toward a more assertive, ideology-driven foreign policy with the rise of Xi Jinping to power in 2012, the same year Putin returned to the presidency. Whereas under Deng Xiaoping’s leadership, China adopted a cautious, “hide and bide”¹¹⁸ approach to foreign policy, Xi likewise shifted China toward a more muscular, confrontational approach, overseeing an expanded military presence in the South China Sea, encouraging Chinese diplomats to win diplomatic “battles” with a “fighting spirit” to defend core national interests, and aligning China more closely than ever with Russia.¹¹⁹ Both Putin and Xi championed nationalistic, anti-Western narratives, framing their respective countries as engaged in strategic competition to counter Western dominance over global

¹¹⁵ Yuri Barmin, *Russia in the Middle East until 2024*.

¹¹⁶ “The Making of Vladimir Putin.”

¹¹⁷ Ibid.

¹¹⁸ Lowy Institute, “Hide and Bide,” in *China and the Rules-Based Order*, <https://interactives.lowyinstitute.org/features/china-rules-based-order/articles/hide-and-bide/>.

¹¹⁹ Jost Wübbeke and Bernhard Bartsch, “After Xi Jinping,” *Foreign Affairs*, August 4, 2025, <https://www.foreignaffairs.com/china/after-xi-jinping-jost-mattingly>; Suisheng Zhao, “Implications of Xi’s Power Concentration for Chinese Foreign Policy,” *United States Institute of Peace*, December 18, 2023, <https://www.usip.org/publications/2023/12/implications-xis-power-concentration-chinese-foreign-policy>; Yu Jie, “Centralizing Foreign Policy under Xi Jinping,” *Chatham House*, July 2024, <https://www.chathamhouse.org/2024/07/china-under-siege/centralizing-foreign-policy-under-xi-jinping>.

governance.¹²⁰ For this reason, both countries have been particularly willing to align in resisting Western pressure on human rights issues, especially where either has a vested interest in shielding the government.

Given their entrenched interests in blocking intervention in Myanmar, it is notable that China and Russia did not outright reject that the international community had a responsibility to act in atrocity situations or openly condone violence against the Rohingya. Instead, they challenged whether Myanmar met that threshold at all, disputing the factual basis for labeling it an atrocity situation by attributing the violence to ARSA and refusing to highlight reports of crimes against the Rohingya. Both China and Russia framed the Tatmadaw's response to the August 25 ARSA attacks as a legitimate use of force against a national security threat. Branding ARSA as "terrorists," they blamed the group for provoking a reaction from state security forces and exclusively raised concern over insurgent violence. China and Russia further claimed that the violence was subsiding, implying that Myanmar was effectively managing the crisis and that international involvement was unnecessary.

This approach suggests that, although states did not explicitly invoke R2P in respect of Myanmar, the norm was not "dead," as many observers and critics have argued following the controversy surrounding NATO's 2011 intervention in Libya and the subsequent inaction in Syria.¹²¹ As Anette Stimmer (2019) observes, whereas "direct criticism of [a] frame...indicates weak feelings of obligation," criticism of the *grounds* rather than the frame itself indicates a "strong norm that both sides agree to in principle, but disagree on when and how to apply."¹²²

¹²⁰ Dan Kurtz-Phelan, "Best Of: What Drives Putin and Xi," conversation with Stephen Kotkin and Orville Schell, *Foreign Affairs*, podcast, August 7, 2025, <https://www.foreignaffairs.com/podcasts/best-what-drives-putin-and-xi>.

¹²¹ Anette Stimmer, "Beyond Internalization: Alternate Endings of the Norm Life Cycle," *International Studies Quarterly* 63, no. 1 (2019): 274.

¹²² *Ibid.*, 175.

Had either state directly contested the idea the international community has a responsibility to protect populations from atrocity crimes, it would have signaled that they felt almost no obligation to comply. Yet, neither China nor Russia openly rejected R2P; instead, they challenged the factual grounds for applying the frame to Myanmar, seeking only to deny its application to the Rohingya crisis. While this does not indicate strong feelings of obligation, it does suggest that some constraints persisted on what constituted acceptable conduct, or at least, what was acceptable to publicly support.

The statements above indicate that China's and Russia's arguments convinced no other Security Council member, as they contradicted overwhelmingly consistent reports from UN officials indicating atrocity crimes by state security forces. Nonetheless, the situation was rapidly evolving at this stage—a fact Guterres acknowledged—providing China and Russia some room to contest the facts and advance an alternative narrative about the events unfolding. In theory, a determination on atrocity crimes by a UN mechanism—the international community's primary tool for independently assessing whether reported violence amounts to atrocity crimes and identifying the alleged perpetrators—should have closed this space.

8.3 A UN Determination on Atrocity Crimes

A month later, on December 12, the Security Council was again briefed on the situation in Myanmar by then-UN Under-Secretary-General for Political Affairs Jeffrey Feltman and Special Representative for Sexual Violence in Conflict Pramila Patten, pursuant to the November 6 presidential statement. The briefing followed a Special Session of the Human Rights Council

on December 5, convened at the request of Bangladesh and Saudi Arabia.¹²³ Al-Hussein had briefed the session, stressing that “credible reports indicate widespread, systematic and shockingly brutal attacks against the Rohingya community by the Myanmar security forces” and that the international community could not rule out the possibility of “elements of genocide.”¹²⁴ While he noted that such a determination was a “a legal [judgement] only a competent court can make,” the concerns were “extremely serious, and clearly call[ed] for access to be immediately granted for further verification.”¹²⁵ In light of the mounting evidence of crimes, al-Hussein called on the body to consider recommending that the General Assembly establish an independent mechanism to assist in criminal investigations, complementary to work of the IIFMM.¹²⁶

During her briefing to the Security Council, Patten echoed al-Hussein’s characterization of the violence in Rakhine State. She recounted hearing “heart-breaking and horrific accounts of sexual atrocities reportedly committed in cold blood out of a lethal hatred for the Rohingya community based on their ethnicity and religion.”¹²⁷ These accounts, she emphasized, were “consistent and corroborated by international medical staff and other service-providers operating in the area,” and were “by no means isolated incidents.”¹²⁸ In fact, there were “indications that this pattern of widespread and systematic sexual violence ha[d] been used as a tool of dehumanization and collective punishment.”¹²⁹ Women and girls, she noted, were “tied to either

¹²³ Security Council Report, “Myanmar: Briefing and Consultations,” *What’s in Blue*, December 2017, <https://www.securitycouncilreport.org/whatsinblue/2017/12/myanmar-briefing-and-consultations-1.php>.

¹²⁴ OHCHR, “Special Session of the Human Rights Council on the Human Rights Situation of the Minority Rohingya Muslim Population and Other Minorities in the Rakhine State of Myanmar,” December 5, 2017, <https://www.ohchr.org/en/statements/2017/12/special-session-human-rights-council-human-rights-situation-minority-rohingya>.

¹²⁵ Ibid.

¹²⁶ Security Council Report, “Myanmar: Briefing and Consultations.”

¹²⁷ UNSC, S/PV.8133, December 12, 2017, 4, <https://docs.un.org/en/S/PV.8133>.

¹²⁸ Ibid.

¹²⁹ Ibid.

a rock or a tree before multiple soldiers literally raped them to death.”¹³⁰ Patten further stressed that these accounts “indicate a pattern of grave violations of international humanitarian law and human rights law,” with the widespread threat and use of sexual violence serving as “a driver and push factor for forced displacement on a massive scale, and as a calculated tool of terror seemingly aimed at the extermination and removal of the Rohingya as a group.”¹³¹

Patten could not have conveyed the gravity of the situation more starkly. China, however, directly contradicted her account of the drivers of violence. The Chinese ambassador highlighted that China’s foreign minister had recently visited Bangladesh and Myanmar and proposed a three-stage approach to addressing the “root problem of Rakhine State,” with the third stage focusing on “squarely confronting the problem and ways to address them.”¹³² Specifically, its ambassador argued that “[p]overty is the source of turmoil and conflicts,” calling on the international community to “increase support to Rakhine State to help eradicate poverty, pursue development through poverty reduction, and realize stability through development.”¹³³ This proposal, he claimed, represented “the greatest possible consensus on all sides.”¹³⁴ China emphasized that the “problem” in Rakhine State had “a complex historical, ethnic, and religious background” and “[could not] be solved overnight, but requires a gradual approach.”¹³⁵ Furthermore, it asserted, “[a]t present, the situation on the ground [has] visibly improved,”¹³⁶ with Myanmar cooperating with the UN and actively implementing the Advisory Commission’s recommendations. China maintained that “only an agreement accepted by both countries

¹³⁰ Ibid.

¹³¹ Ibid.

¹³² Ibid., 7.

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Ibid.

concerned can be implemented or sustained,” warning that “[a]ny solutions reached under strong external pressure may ease the situation temporarily but will leave negative aftereffects.”¹³⁷

Russia similarly argued that the security situation in Rakhine State had “stabilized to a degree,”¹³⁸ pointing to the reduced number of military personnel deployed since August. It also highlighted that the government had begun issuing national identification cards to Muslims and distributing humanitarian assistance. Russia reiterated that its position remained unchanged, emphasizing that there was “no possible alternative to resolving the complex issues in Rakhine State...other than through exclusively political means and by establishing a dialogue between the representatives of all ethnicities and faiths.”¹³⁹ The role of the international community—“including the United Nations”—Russia stressed, “should be to assist bilateral efforts to overcome this crisis and its consequences”¹⁴⁰ between Myanmar and Bangladesh.

The only other state to back this narrative was Myanmar. Responding to Patten’s statement, Myanmar asserted that the government had “made its position clear” by stating it would not condone any human rights abuses and that, if “concrete evidence” was provided, it was “ready to hold the transgressor[s] accountable.”¹⁴¹ It then outlined the steps Myanmar was taking to address the crisis, claiming it had “spared no effort to address the humanitarian, security, and socioeconomic issues that have emerged following the terror attacks of 25 August by [ARSA] against security posts.”¹⁴² Myanmar noted there had been “no major clashes with the terrorists reported since 5 September”¹⁴³ and that the Red Cross Movement was operating in Rakhine State. Its ambassador stressed that the government had signed an agreement

¹³⁷ Ibid.

¹³⁸ Ibid., 9.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid., 20.

¹⁴² Ibid.

¹⁴³ Ibid.

with Bangladesh for the return of displaced Rohingya, claiming it was already implementing the Advisory Commission's recommendations.

Commenting on the Security Council's recently adopted presidential statement, Myanmar expressed in "unequivocal terms" its "objection to the discriminatory and selective application of overlapping actions" against the country "in the name of human rights under various United Nations mechanisms."¹⁴⁴ "[T]he pattern of exerting undue political pressure and coercive measures," it argued, "will not achieve any positive results."¹⁴⁵ Myanmar further objected to the use of the terms "ethnic cleansing" and "crimes against humanity," stressing that these should not be used "lightly without concrete evidence and a conclusive legal judgment" and that such a "hostile mentality...will not contribute to constructive cooperation."¹⁴⁶

Despite the united front presented by China, Russia, and Myanmar, other Security Council members pushed back, disputing their narrative and Myanmar's rejection of atrocity allegations. The United States stressed, "[t]here is no denying that these atrocities, including ethnic cleansing, have taken place,"¹⁴⁷ and called on Myanmar to grant the IIFFMM full access to gather information and evidence on the ground. It emphasized that the Council must "reject any attempt to downplay the magnitude of this man-made tragedy" and shine a spotlight on any "accounts of ethnic cleansing,"¹⁴⁸ a position that France reiterated. Similarly, Sweden emphasized: "Numerous reports of systematic, widespread, and coordinated acts of violence strongly indicate that crimes against humanity have been committed."¹⁴⁹ Stressing the need to

¹⁴⁴ Ibid., 21.

¹⁴⁵ Ibid., 21.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid., 8.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid., 12.

ensure “that the facts and circumstances on the ground are fully established,”¹⁵⁰ its ambassador urged Myanmar to grant the mission full access.

The IFFMM would not release its report until August 2018. In the interim, attention on the Rohingya crisis within the Security Council fluctuated. The next briefing, held during Kuwait’s presidency and requested by eight members, only came in February 2018 from Jenča and High Commissioner for Refugees Filippo Grandi.¹⁵¹ During the meeting, members continued to dispute facts of the situation and how the causes and nature of the violence should be characterized. Major points of contention included whether the violence had truly subsided, if it met the threshold of potential crimes, who was primarily responsible (the government or ARSA), and whether the situation constituted a threat to international peace and security.

For example, Jenča acknowledged that “large-scale acts of violence had subsided,” but emphasized ongoing concerns about “threats and intimidation against the remaining Rohingya population.”¹⁵² In contrast, China claimed the situation was fully resolved, stating, “[at] present, the situation on the ground has visibly eased,” with humanitarian relief operations under way. China reiterated that the crisis “cannot be solved overnight” and maintained that “the appropriate way to resolve the issue of Rakhine State is through bilateral efforts by Myanmar and Bangladesh.”¹⁵³ Similarly, in Russia’s opinion, “the situation in the Rakhine national region...remains difficult but in general under control,” crediting Myanmar’s “planned social and economic development efforts”¹⁵⁴ for this improvement. Russia emphasized “the importance

¹⁵⁰ Ibid.

¹⁵¹ UNSC, S/PV.8179, February 13, 2018, 1, <https://docs.un.org/S/PV.8179>.

¹⁵² Ibid., 2.

¹⁵³ Ibid., 9.

¹⁵⁴ Ibid., 19.

of respecting Myanmar's sovereignty" and insisted that resolving the "multilayered and complex problems in Rakhine can only be achieved through political means."¹⁵⁵

For its part, Myanmar insisted that ARSA, and not the government, posed the real threat. It contended that the ongoing "humanitarian crisis" was not the result of intercommunal violence but rather "a consequence of terrorist attacks on security posts, which triggered the security response of government forces."¹⁵⁶ The ARSA attacks, Myanmar claimed, posed "a clear and real threat to [its] security, sovereignty, and territorial integrity."¹⁵⁷ It insisted that the crisis was "not a religious matter, as some have portrayed," asserting that "the majority of Muslims in other areas across Myanmar have lived peacefully and harmoniously with people of different faiths throughout [the country's] history."¹⁵⁸ It also emphasized that "it is up to the people of Myanmar to determine how to achieve a peaceful and prosperous Rakhine State," arguing that the solution "must come from within" and "not be imposed from outside."¹⁵⁹ To conclude, Myanmar's ambassador defiantly declared that Myanmar would neither "allow actions that would exacerbate the problem" and nor "become hostage to one-sided media and activists."¹⁶⁰

While the Security Council did not discuss Myanmar in spring 2018, its members visited Bangladesh and Myanmar from April 28 to May 2 to assess the crisis firsthand. Co-led by Kuwait, Peru, and the United Kingdom, the mission marked the Council's first visit to both countries and its first trip to Southeast Asia since 2012, when it had visited Timor-Leste.¹⁶¹ According to *Security Council Report*, despite less public Council activity since the new year,

¹⁵⁵ Ibid., 20.

¹⁵⁶ Ibid., 24.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid.

¹⁶⁰ Ibid.

¹⁶¹ Security Council Report, "Security Council Visiting Mission to Bangladesh and Myanmar," *What's in Blue*, April 27, 2018, <https://www.securitycouncilreport.org/whatsinblue/2018/04/security-council-visiting-mission-to-bangladesh-and-myanmar.php>.

there had been “mounting interest in a visiting mission to Myanmar,” and “[b]ehind the scenes, a number of Council members [had] put in considerable effort to make [this] possible.”¹⁶²

Officially, the mission’s objectives were to assess the implementation of the November 6 presidential statement and efforts by the UN and Bangladesh to protect and assist refugees in Bangladesh, as well as “[better understand] the views and concerns of all parties.”¹⁶³

During its trip, the Security Council visited “Zero Line” and the Kutupalong refugee camp in Cox’s Bazar—a strip of land along the Myanmar-Bangladesh border—where they met with Rohingya refugees and “heard their stories of why they had left their homes.”¹⁶⁴ The Council also visited Kutupalong Camp, which had become the world’s largest refugee camp at that time, housing nearly 500,000 Rohingya. Members were shown an overlook “to get a sense of the extent of the camp”¹⁶⁵ and interacted with refugees who spoke about losing family members, houses being burned, people being shot, and incidents of sexual exploitation and violence.

At the end of the day, the Security Council held a press conference where its members were asked “how the visit would affect possible action in the Council on their return.”¹⁶⁶ According to *Security Council Report*, “[o]f particular interest was whether there might be punitive action taken against Myanmar and if accountability would be addressed,” with China directly asked if it would now support a binding resolution.¹⁶⁷ Russia stated that it was a complicated issue with no easy solution and that it was not the right time for a Council

¹⁶² Ibid.

¹⁶³ Ibid.

¹⁶⁴ Security Council Report, “Dispatches from the Field: Cox’s Bazar, Bangladesh and Rohingya Refugees,” *What’s in Blue*, April 29, 2018, <https://www.securitycouncilreport.org/whatsinblue/2018/04/dispatches-from-the-field-coxs-bazar-bangladesh-and-rohingya-refugees.php>.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

resolution.¹⁶⁸ Notably, not only China but also Kazakhstan, Kuwait, and the United Kingdom reiterated that “there was no fast or easy answer.”¹⁶⁹

On the final day of the trip, after members had traveled to Rakhine State to observe the conditions of the transit routes and camps meant to facilitate the return of Rohingya refugees, the media pressed the Security Council on whether the next step might be a referral to the International Criminal Court (ICC).¹⁷⁰ The United Kingdom responded that a proper investigation was needed, whether by the ICC or the Myanmar government itself.¹⁷¹ *Security Council Report* noted positively that while differences remained over taking stronger punitive action, members had begun to show greater unity in some of their messages during the mission, and that this shared experience could serve as a basis for more united Council action moving forward.¹⁷²

However, in the weeks following their return, members could not agree on “whether the timing [was] right for a resolution with possible punitive action,”¹⁷³ with some now believing a more measured approach was needed that focused on areas where progress could realistically be achieved. Meanwhile, human rights groups began pushing the Security Council to refer Myanmar to the ICC, and though some members were supportive, others preferred to wait until the court ruled on whether it had jurisdiction over situation before seriously considering the option.¹⁷⁴

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

¹⁷⁰ Security Council Report, “Dispatches from the Field: Rakhine State, Myanmar,” *What’s in Blue*, May 5, 2018, <https://www.securitycouncilreport.org/whatsinblue/2018/05/dispatches-from-the-field-rakhine-state-myanmar.php>.

¹⁷¹ Ibid.

¹⁷² Ibid.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

In the interim, the Security Council negotiated a draft statement on the visiting mission, softening its tone to accommodate China's concerns by recognizing Myanmar's efforts to improve the situation and easing language around accountability.¹⁷⁵ As *Security Council Report* noted, these negotiations highlighted that the fundamental positions of some members—namely China and Russia—had not changed after the mission, even though “all Council members on the trip may have been personally affected by what they saw.”¹⁷⁶ Following the statement's adoption, prospects for a resolution further dimmed after China and Russia “made clear their view that with the visit, the press statement and the briefing on the visit, the Council had paid enough attention to Myanmar for the moment.”¹⁷⁷ As long as Myanmar “appear[ed] to be taking steps in the right direction,”¹⁷⁸ *Security Council Report* observed, it would be difficult for the Council to take stronger action absent a change in China's position.

Only after the IIFFMM released its long-awaited report on August 27 did another window of opportunity open. Despite Myanmar never granting access to Rakhine State, the report—based on 17 months of work by just three people—established “consistent patterns of serious human rights violations and abuses in Kachin, Rakhine and Shan States, in addition to serious violations of international humanitarian law,” “principally committed by the Myanmar security forces, particularly the military.”¹⁷⁹ According to the report, their operations were “based on policies, tactics and conduct that consistently fail to respect international law, including by deliberately targeting civilians.”¹⁸⁰ Based on the body of information collected, the IIFFMM concluded that many violations “amount[ed] to the gravest crimes under international

¹⁷⁵ Ibid.

¹⁷⁶ Ibid.

¹⁷⁷ Security Council Report, “Myanmar: July 2018 Monthly Forecast,” *Monthly Forecast*, June 28, 2018, https://www.securitycouncilreport.org/monthly-forecast/2018-07/myanmar_1.php.

¹⁷⁸ Ibid.

¹⁷⁹ A/HRC/39/64, 1.

¹⁸⁰ Ibid., 15.

law,”¹⁸¹ including war crimes and crimes against humanity. It also concluded that there was sufficient information to “warrant the investigation and prosecution of senior officials in the Tatmadaw chain of command, so that a competent court can determine their liability for genocide in relation to the situation in Rakhine State.”¹⁸²

The following day, the Security Council was directly briefed on the situation in Myanmar by Secretary-General António Guterres, who highlighted the IIFFMM report. While he did not address the details, Guterres noted that the report had identified “patterns of gross human rights violations and abuses” committed by Myanmar security forces, which “undoubtedly amount to the gravest crimes under international law.”¹⁸³ He emphasized that the report’s findings and recommendations “deserve serious consideration by all relevant [UN] bodies”¹⁸⁴ and stressed that international cooperation was needed for accountability, but made no appeal for concrete action.

Many Security Council members issued stronger statements than Guterres. The United Kingdom, for instance, described the plight of the Rohingya as “one of the most pressing humanitarian and human rights crises facing the Security Council” and called the IIFFMM report the “most authoritative account to date of the crimes committed against the Rohingya community.”¹⁸⁵ Its ambassador continued:

The Council is charged by the international community with the primary responsibility for maintaining international peace and security. Crimes against humanity, such as those detailed in the Fact-Finding Mission’s report, threaten international peace. They threaten international security. Forced deportations across borders, like those suffered by the Rohingya crossing into Bangladesh, are not only unfriendly acts but also threats to international peace and security.¹⁸⁶

¹⁸¹ Ibid., 19.

¹⁸² Ibid., 16.

¹⁸³ UNSC, S/PV.8333, August 28, 2018, 3, <https://docs.un.org/S/PV.8333>.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid., 7.

¹⁸⁶ Ibid.

In the United Kingdom’s view, it was therefore “incumbent upon the Council”¹⁸⁷ to consider the report thoroughly. The Council had both “a duty to ensure that [the Rohingya] receive[ed] justice and the prospect of a peaceful future” and a “duty to ensure that there [was] no impunity for such acts.”¹⁸⁸

Sweden similarly emphasized that the IIFFMM, “a [UN]-mandated body with distinguished membership, presented credible and solid findings on the gravity of the atrocities committed by the Myanmar security forces.”¹⁸⁹ It stressed, “[t]his is significant and must be followed by meaningful action,” calling for the mission’s chair to be given the chance to brief the Security Council. The Council could not “turn a blind eye to the atrocities committed against the Rohingya” and needed to “take full responsibility and do [its] utmost to end this nightmare.”¹⁹⁰ The United States further noted that the State Department had published a report consistent with the report’s findings, stating: “The world can no longer avoid the difficult truth of what happened in Burma...the facts of the ethnic cleansing of the Rohingya must be said and heard.”¹⁹¹ It stressed that the report’s methodology was sound and its conclusions “shocking,” not only revealing that the majority of Rohingya directly experienced violence but also, “most importantly,” identifying “one group—the Burmese military and security forces—as the perpetrator of the overwhelming majority of the crimes.”¹⁹²

However, China, Russia, and Myanmar dismissed the report’s findings entirely. Russia refused to acknowledge the conclusions, instead reiterating the need for a “balanced and non-

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid., 10.

¹⁹⁰ Ibid.

¹⁹¹ Ibid., 13.

¹⁹² Ibid., 13.

confrontational approach when discussing the situation in [Myanmar] and looking for ways to normalize [it].”¹⁹³ It highlighted steps Myanmar had taken to cooperate with the international community, such as confirming its readiness to facilitate a phased return of refugees, establishing a domestic commission of inquiry into alleged human rights abuses, and making progress on implementing the Advisory Commission’s recommendations. Russia further argued that “attempts to assign responsibility to [Myanmar] for resolving the crisis disregard[ed] the terrorist attacks that [had] exacerbated the situation in Rakhine State and made it more difficult to establish sustainable inter-ethnic peace.”¹⁹⁴ It stressed that, at this stage, “the priority is to [provide] international assistance” and to resolve the situation “primarily on a bilateral basis through negotiations between Myanmar and Bangladesh.”¹⁹⁵

China similarly ignored the report’s findings, instead pointing to signs of progress and emphasizing that the long-term solution was to “help local communities to eradicate poverty in order to promote sustainable development.”¹⁹⁶ Myanmar went further, entirely rewriting the narrative of responsibility for the attacks. Labeling ARSA a “religious extremist terrorist group,” it argued that the August 2017 attacks “triggered a predictable and logical response from Myanmar security forces to protect the life and property of every citizen, resulting in the subsequent mass displacement of people,” stressing: “those are plain facts and nothing but the truth, but they were conveniently discounted or ignored by mainstream media.”¹⁹⁷ Its ambassador further claimed that “the violent attacks were not coincidental” and that ARSA “knew all too well that the Myanmar security forces would respond to their attacks with full force” and “must

¹⁹³ Ibid., 11.

¹⁹⁴ Ibid.

¹⁹⁵ Ibid.

¹⁹⁶ Ibid., 13.

¹⁹⁷ Ibid., 25.

also have anticipated the exodus of people from northern Rakhine to Bangladesh.”¹⁹⁸ “The present grave humanitarian problems” in Rakhine State, Myanmar declared, were “carefully calculated and instigated by ARSA.”¹⁹⁹

Before concluding, Myanmar directly addressed the IIFFMM report’s allegations that state security forces had committed international crimes. Dismissing the report as biased, Myanmar reiterated that “[it] did not accept the mandate of the Mission because [it has] concerns about its impartiality.”²⁰⁰ It also had “serious doubts as to the intention behind the timing of the release of the report,” which was timed “on the eve of this particular Security Council meeting,” raising “serious questions about the objectivity, impartiality and sincerity of the Fact-Finding Mission.”²⁰¹

Disagreement over whether to acknowledge and act upon the report’s findings and designate the Rohingya crisis a threat to international peace and security came to a head in October. A week before the IIFFMM was set to brief the Security Council, China, Russia, Bolivia, and Guinea sent a letter to the Council president objecting to the meeting on the grounds that the situation did not constitute a threat to the peace.²⁰² Prior to the meeting, China argued: “The Charter of the United Nations clearly defines the responsibilities of the principal United Nations organs and the division of labour between them.”²⁰³ It emphasized that the “primary responsibility of the Security Council is the maintenance of international peace and security,” and that it “should not get involved in country-specific human rights issues.”²⁰⁴ China argued

¹⁹⁸ Ibid.

¹⁹⁹ Ibid.

²⁰⁰ Ibid., 26.

²⁰¹ Ibid.

²⁰² Bolivia, China, Russia, and Equatorial Guinea to the President of the Security Council, letter dated October 18, 2018, S/2018/938, <https://docs.un.org/en/S/2018/938>.

²⁰³ UNSC, S/PV.8381, October 24, 2018, 2, <https://undocs.org/en/S/PV.8381>.

²⁰⁴ Ibid.

that the IIFFMM was a “special mechanism of the Human Rights Council and does not have a mandate to brief the Security Council,” warning that the briefing would “disrupt and undermine the ongoing dialogue process.”²⁰⁵ Russia took an even stronger stance, stating the IIFFMM’s work was “harmful and counterproductive.”²⁰⁶ It claimed that the mission lacked “reliable information on what is going on with the Rohingya,” and therefore considered its reports “underprepared and one-sided.”²⁰⁷ Russia concluded that “chucking its so-called conclusions at the Security Council is overtly pernicious,” and since the report had already been discussed in the Human Rights Council and the Third Committee, saw “no added value in [the Council] considering it.”²⁰⁸

However, China and Russia could not veto the briefing, as it was a procedural rather than substantive matter, and a simple majority of members voted to proceed. As a result, the briefing took place on October 24, the 72nd anniversary of the UN’s founding. During the meeting, the chair of the IIFFMM, Markuzi Darusman, stressed: “Many of the serious violations described in our report undoubtedly amount to the most serious crimes of concern to the international community, which threaten the peace, security and well-being of the world.”²⁰⁹ He reiterated that “[w]ar crimes and crimes against humanity have been committed in Kachin, Shan and Rakhine states,” and that the mission had found “sufficient information to warrant the investigation and prosecution of senior officials in the Tatmadaw on charges of genocide.”²¹⁰

Darusman stressed that the Security Council “[had] the power” to break Myanmar’s cycle of violence. While the key was a “sharp focus on accountability,” as a “history of atrocity crimes

²⁰⁵ Ibid.

²⁰⁶ Ibid.

²⁰⁷ Ibid.

²⁰⁸ Ibid.

²⁰⁹ Ibid., 5.

²¹⁰ Ibid.

combined with impunity and weak State institutions is a core risk factor for further violation,” he encouraged the Council and its members to “impose targeted sanctions against those most responsible for the serious crimes under international law.”²¹¹ Darusman declared that “Myanmar presents precisely the kind of threat to peace and security that the United Nations—particularly the Council—was created to address,” warning that “the Rohingya and all of Myanmar’s people—in fact the entire world—[are] looking to the Council to take action.”²¹²

Nonetheless, Russia vehemently opposed the option of coercive action. “Rather than blackmailing and intimidating [Myanmar],” the Security Council should provide “our wholehearted multilateral support,” its ambassador lambasted. Russia argued that the meeting’s “instigators” had “absolutely no interest in resolving the problems of the Rohingya” and were merely using it as an excuse to exert “shameless pressure on the authorities of a sovereign state and [force] it to comply with the demands of its former colonizer and its allies.”²¹³ It warned that the “logical next step in that direction would be pressure for anti-Myanmar sanctions and corresponding Security Council resolutions, a course of action that we categorically refuse to support.”²¹⁴

Myanmar further escalated its rhetoric, stating: “We are witnessing the core erosion of the moral and institutional integrity of the United Nations as a result of the blatant attempt by some members of the Council to hijack the human rights issue for their political purposes.”²¹⁵ It stressed:

We have repeatedly explained the fact that the current humanitarian crisis in Rakhine state was ignited by the unprovoked and premeditated attacks against 30 police outposts and a military battalion headquarters by the Arakan Rohingya Salvation Army (ARSA)

²¹¹ Ibid., 6.

²¹² Ibid.

²¹³ Ibid., 20.

²¹⁴ Ibid.

²¹⁵ Ibid., 23.

terrorist group in August 2017 and, previously, in October 2016. The ARSA terrorists had massacred security personnel and hundreds of innocent civilians, including 100 Hindu villagers, other ethnic minorities and even pro-Government Muslims. The atrocities perpetrated by ARSA have made thousands of innocent ethnic people flee their villages to the other parts of Rakhine state.²¹⁶

Myanmar expressed “[dismay at] the fact that the fact-finding mission ha[d] deliberately and glaringly discounted ARSA terrorist atrocities,” insisting it was “merely bringing the naked truth of the report to the attention of the members of the Council.”²¹⁷ Categorically rejecting the inference of genocidal intent, its ambassador maintained: “the situation in Rakhine has in no way threatened international peace and security. The accusation is absurd and groundless. The report is full of prejudice and is totally unconstructive.”²¹⁸

The month after the briefing, the United Kingdom made a second attempt at drafting a resolution on Myanmar. According to *Security Council Report*, the draft proposed relatively modest measures, including establishing a regular reporting cycle on the implementation of the Advisory Commission’s recommendations and the country’s progress in investigating allegations of human rights abuses.²¹⁹ It also set a timeline for Myanmar to allow the return of Rohingya refugees to Rakhine State and warned that the Security Council would consider further actions, including sanctions, if it failed to make sufficient progress.²²⁰ However, China and Russia refused to engage with the resolution, with Russia’s ambassador calling it “inappropriate, untimely, and useless.”²²¹ Ultimately, the United Kingdom decided not to table the draft for a vote.

²¹⁶ Ibid., 24.

²¹⁷ Ibid.

²¹⁸ Ibid.

²¹⁹ Security Council Report, “Myanmar: Briefing on Latest Developments,” January 2019.

²²⁰ Ibid.

²²¹ Michelle Nichols, “U.N. Security Council Mulls Myanmar Action; Russia, China Boycott Talks,” *Reuters*, December 17, 2018, <https://www.reuters.com/article/world/un-security-council-mulls-myanmar-action-russia-china-boycott-talks-idUSKBN1OG2DE>.

As in Syria, this failed effort illustrates how and where the process—one that should, under the right conditions, lead to the consideration of enforcement measures—breaks down when P5 members exploit their institutional power to block or deter a collective response. Although large-scale violence against civilians escalated in Rakhine State and a UN investigation determined that atrocity crimes were likely occurring, the body failed to pass a resolution even recognizing the situation as a threat to international peace and security. China and Russia deliberately resisted such a designation, which would have provided the basis for enforcement action, instead asserting that it was a domestic matter. When the UN fact-finding mission on Myanmar released its final report, both countries refused to publicly acknowledge its findings. By rejecting the documented evidence and strategically advancing the government’s narrative of events, they eroded Britain’s resolve to continue pushing for action, effectively forestalling the possibility of a collective response.

In contrast, in the positive cases examined—where no P5 member backed the perpetrator state, and condemning their actions was uncontroversial—the bar for establishing the existence of a threat to international peace and security was considerably lower. In Côte d’Ivoire and Libya, the international response unfolded so rapidly that there was no time for the UN to establish and deploy a human rights investigation, a process that typically takes months. Instead, early reports relayed by senior UN officials—viewed as credible and authoritative—were sufficient to generate a consensus that the violence likely amounted to international crimes and constituted a threat to the peace. That the Security Council failed to do the same in Myanmar demonstrates the blunting effect of P5 institutional power on the “productive” or narrative power—the ability to shape knowledge, perceptions, and discourse surrounding

particular events—of UN human rights bodies.²²² When a veto-wielding P5 member aligns with a state perpetrator, the ability of labeling violence as atrocity crimes to catalyze collective action is severely weakened.

8.4 Where was ASEAN? The Absence of Regional Support for Intervention

While China’s and Russia’s shielding of Myanmar helps to explain the Security Council’s slow and ineffective response, it does not fully account for inaction. A necessary catalyst for intervention was also glaringly absent in this case: a regional request for, or endorsement of, international intervention. Myanmar differed from the positive cases examined not only due to the alignment between P5 members and the government, but also because ASEAN—Southeast Asia’s main intergovernmental organization—assumed a passive role in the crisis.

ASEAN was established in 1967 through the Bangkok Declaration, originally signed by Indonesia, Malaysia, the Philippines, Singapore, and Thailand.²²³ The organization only invited Myanmar to join thirty years later, sparking controversy due to Myanmar’s poor human rights record and history of deploying violence against its citizens.²²⁴ Historically, ASEAN strictly adhered to the principles of consensus-based decision-making and non-interference in the internal affairs of its members, an approach known as the “ASEAN Way.”²²⁵ Former ASEAN

²²² Federica D’Alessandra, “Conceptualizing Great Power Perpetrators,” *Genocide Studies and Prevention: An International Journal* 18, no. 1 (2024): 160, <https://doi.org/10.5038/1911-9933.18.1.1949>.

²²³ Edmund Bon and Emily Wana, “ASEAN and the Rohingya Crisis Since 2017: Dynamics, Challenges, and New Avenues for a More Effective Regional Response in Post-Coup Myanmar”, Asia-Pacific Centre for the Responsibility to Protect (March 2022), 2, https://r2pasiapacific.org/files/9005/2022_ASEAN_Rohingya_Crisis_Since_2017.pdf.

²²⁴ Ibid.

²²⁵ Ibid.

Secretary-General Rodolfo Severino described this as an “evolutionary approach, relying largely on patient consensus building to arrive at informal understandings or loose agreements.”²²⁶ The region’s way of “dealing with one another,” he explained, is “through manifestations of goodwill and the slow winning and giving of trust.”²²⁷ In his view, ASEAN’s diverse member states—each with its own culture, history, and political system—could only be managed through consensus.²²⁸ This approach relies on “mushawara” (consultation) and “mufakat” (agreement), avoiding formal negotiations and the embarrassment of cornering members with differing views.²²⁹

ASEAN’s handling of the Rohingya crisis reflected this philosophy of regional diplomacy. In 2018, Thailand’s foreign minister declared that ASEAN’s approach to handling the situation was not to “point out who is right or wrong,” but to engage in meaningful discussions.²³⁰ Rather than publicly shaming Myanmar, the organization worked throughout 2017 and 2018 to maintain communication with the government, using quiet diplomacy and confidence-building measures.²³¹ Accordingly, Myanmar treated ASEAN as a trusted partner and was willing to hold discussions and provide regular updates, mainly through back channels. As the Asia Pacific Center for the Responsibility to Protect observes, Myanmar’s relative openness with ASEAN contrasted with its reluctance to engage with Western states, which had used “naming and shaming” tactics, “contrary to the ASEAN Way.”²³²

ASEAN’s response was shaped not only by its diplomatic philosophy but also its institutional structure. Unlike other regional organizations such as African Union (AU) and the

²²⁶ Ibid., 3.

²²⁷ Ibid.

²²⁸ Ibid.

²²⁹ Ibid.

²³⁰ Ibid.

²³¹ Ibid.

²³² Ibid.

Economic Community of West African States (ECOWAS)—which have dedicated peace and security councils with enforcement powers—ASEAN lacks a centralized body to rapidly coordinate political or military responses to security crises.²³³ It also lacks a mechanism to suspend or expel members, even in response to violations of its charter.²³⁴ Instead, ASEAN is structured around three pillars: the ASEAN Political-Security Community (APSC), the ASEAN Economic Community (AEC), and the ASEAN Socio-Cultural Community (ASCC). Issues are addressed within the specific pillar they fall under, each of which relies on its own mechanisms.²³⁵

Yet, none of these pillars has an institutional mechanism for responding to large-scale, systematic human rights violations by member states. As a result, ASEAN has historically struggled to address cross-cutting challenges such as atrocity crimes, which require coordination across all three pillars.²³⁶ For instance, before August 2017, the Rohingya crisis was categorized as a “non-traditional security challenge” and handled by the APSC pillar through the Senior Officials Meeting on Transnational Crime (SOMTC) and the Ministerial Meeting on Transnational Crime (AMMTC).²³⁷

In October 2017, ASEAN for the first time shifted its rhetoric, describing the situation as an example of the “changing humanitarian landscape in the region” and “emerging human-induced disasters.”²³⁸ Responsibility was subsequently delegated to the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre), which operates under the ASCC. Designed primarily to handle natural disasters, the AHA Centre was ill-

²³³ Champa Patel, “Embrace Soft Power (but Recognize Its Limits),” *Chatham House*, June 2019, <https://www.chathamhouse.org/2019/06/embrace-soft-power-recognize-its-limits>.

²³⁴ *Ibid.*

²³⁵ Bon and Wana, “ASEAN and the Rohingya Crisis Since 2017,” 4.

²³⁶ *Ibid.*

²³⁷ *Ibid.*

²³⁸ *Ibid.*

equipped to manage a violent conflict and could only deliver a “service-oriented approach to delivering aid and supplies,”²³⁹ all while ensuring it did not alienate the government. Although the crisis remained on ASEAN’s agenda throughout 2018, pushback from Myanmar, combined with ASEAN’s non-confrontational approach to diplomacy, meant the response was limited to “encouraging” or “supporting” Myanmar’s efforts to bring about peace and stability and resolve what was officially framed as a “humanitarian disaster.”²⁴⁰

Analyzing the counterfactual scenario—how the Security Council’s response might have unfolded if ASEAN had pressured Myanmar or requested international intervention—is, of course, impossible. Still, it is notable that ASEAN played a far more muted role in responding to the atrocity crimes in Rakhine State compared to the role of regional organizations in Côte d’Ivoire, Libya, and Sudan, removing a key source of pressure that constrains recalcitrant states. The AU, ECOWAS, and the LAS had been willing to compel or coerce the perpetrator regimes into altering their behavior, expelling these states from their ranks, directly mediating between conflict parties, and adopting a range of diplomatic and non-military measures. Eventually, each of them called for the Security Council to intervene once they deemed their efforts to curb the violence ineffective. In Libya, in particular, this request was instrumental in pushing China and Russia to permit the authorization of coercive measures.

Yet, even if ASEAN could have plausibly called for sanctions against Myanmar, it is unlikely that a request for military intervention comparable to those seen in Côte d’Ivoire and Libya would have emerged. In fact, the option of military intervention in Rakhine State was never seriously discussed within or beyond the Security Council. Here, too, Myanmar differed

²³⁹ Ibid.

²⁴⁰ Ibid.

from the positive cases examined. Compared to both Côte d'Ivoire, Libya, and Sudan, Myanmar's military was larger, stronger, and more capable.

Prior to 2021, the US Central Intelligence Agency (CIA) estimated total personnel at between 300,000 to 400,000, with approximately 100,000 combat-ready troops, making it one of the largest forces in Southeast Asia. The national police force also consisted of around 80,000 members, including 30 paramilitary security battalions, mainly composed of former frontline soldiers.²⁴¹ (Today, Global Fire Power ranks Myanmar the 37th most powerful military in the world out of 145 countries.²⁴²) While Myanmar's military arsenal consisted largely of older Chinese and Soviet-era weapons, it also included a mix of more modern weapons, due in part to the civilian government's modernization efforts after 2012.²⁴³ Most significantly, the military was considered highly durable—both institutionally and financially—as it exercised deep control over domestic politics and the economy, controlling three defense ministries, owning two major business conglomerates, and receiving 14% of the country's national budget.²⁴⁴

Beyond its military strength, Myanmar—which borders India and China in the Indo-Pacific—is geographically distant from major areas of operation for the US military and NATO countries. These are primarily concentrated in Europe and the North Atlantic, the Mediterranean

²⁴¹ Ye Myo Hein, "Myanmar's Military Is Smaller Than Commonly Thought—and Shrinking Fast," *United States Institute of Peace*, May 3, 2023, <https://www.usip.org/publications/2023/05/myanmars-military-smaller-commonly-thought-and-shrinking-fast>; Andrew Selth, "Myanmar's Military by the Numbers," *The Interpreter (Lowy Institute)*, February 18, 2022, <https://www.lowyinstitute.org/the-interpreter/myanmar-s-military-numbers>; Prashanth Parameswaran, "Myanmar Military Modernization in the Spotlight Amid Air Force Anniversary," *The Diplomat*, December 19, 2017, <https://thediplomat.com/2017/12/myanmar-military-modernization-in-the-spotlight-amid-air-force-anniversary>.

²⁴² Global Firepower, "2025 Myanmar Military Strength," https://www.globalfirepower.com/country-military-strength-detail.php?country_id=myanmar.

²⁴³ Prashanth Parameswaran, "Myanmar Military Modernization"; United States Central Intelligence Agency, *The World Factbook*, "Myanmar—Military and Security," last updated July 8, 2025, <https://www.cia.gov/the-world-factbook/countries/burma/#military-and-security>.

²⁴⁴ Ibid.; Nyein Nyein, "Military Requests Slightly Higher Budget than Last Year for 2018-19," *The Irrawaddy*, July 25, 2018, <https://www.irrawaddy.com/news/burma/military-requests-slightly-higher-budget-last-year-2018-19.html>.

and North Africa, and for the United States, in particular, the Middle East and the Horn of Africa. Meanwhile, the United Nations had no peacekeeping force stationed in Myanmar that could have been deployed to Rakhine State to protect civilians. Thus, unlike in the positive cases examined, where UN and/or Western forces were strategically positioned to rapidly intervene, deploying US or NATO capabilities for land or sea operations in Myanmar would have been highly complex and risky. Like Syria, it is reasonable to infer that these conditions discouraged any serious consideration of military intervention to disable Myanmar state security forces.

8.5 Conclusion

The Security Council's inaction in Myanmar resulted from a confluence of inhibiting conditions, including P5 shielding of the government, ASEAN's silence, and the erosion of consensus around R2P's pillar 3b component. Similar to Syria, China and Russia had strategic incentives to shield the Myanmar government, which had become entrenched following NATO's 2011 intervention in Libya and the rise of Vladimir Putin and Xi Jinping to power. Yet, while Chinese and Russian support for the Tatmadaw ensured any resolution targeting the regime would be vetoed, the absence of this permissive condition is only part of the explanation. ASEAN's muted stance on the crisis—stemming from its institutional structure, diplomatic philosophy, and internal politics—removed a key source of pressure that might have constrained China and Russia. Absent a regional request or endorsement, Western states had little political leverage over China or Russia, and their opposition to Council involvement was all but guaranteed.

At the same time, the enabling conditions that generated momentum toward intervention in the positive cases examined were notably absent in Myanmar. António Guterres played a more

constrained role than his predecessors had in Sudan, Côte d'Ivoire, or Libya, both because of political dynamics within the Security Council and his administrative rather than advocacy-oriented approach to leadership. More importantly, the post-Libya backlash surrounding R2P had eroded consensus on the priority of the norm versus state sovereignty, as well as on intervention as an appropriate response to atrocity crimes. This “norm impasse” led to the virtual disappearance of R2P language from Council deliberations. Without an alternative frame to guide agreement on collective action, Western states efforts to impose or threaten sanctions failed to gain support from China or Russia.

Notably, the option of military intervention was never seriously discussed in the Council. This was due not only to normative contestation surrounding R2P but also, arguably, to Myanmar's relative military strength, the absence of a UN peacekeeping presence, and the country's geographic distance from the primary areas of operation of the US military or NATO. Together, these factors rendered any form of Western-led military intervention highly logistically challenging compared to the positive cases previously examined.

Chapter 9

Kenya

“On the 28 February 2008, Kenya pulled back from the brink.”
– Kofi Annan, 2008

The previous two chapters examined the Security Council’s failure to intervene in two of the gravest atrocity crises of the 2010s: the onset of the Syrian civil war in 2011, and the persecution of Myanmar’s Rohingya starting in 2017. I argued that the absence of intervention stemmed from a similar set of conditions that stymied collective decision-making. While two of the three trigger events for intervention occurred—large-scale violence against civilians during armed conflict, and the characterization of the violence as atrocity crimes by senior United Nations (UN) officials and a UN investigation—P5 states shielded both governments, blocking consideration of enforcement measures. In Syria’s case, China and Russia dissented from the consensus that non-coercive means were ineffective, arguing that diplomacy had not been given sufficient time to de-escalate the crisis. In Myanmar, their strategic interests in preventing international action led them to block language even recognizing the Rohingya crisis as a threat to international peace and security. Absent these forms of consensus, efforts to table sanctions resolutions were blocked or retracted before the Council could vote.

Yet, China’s and Russia’s interests do not fully explain the Security Council’s inaction. The third, decisive catalyst for intervention was also absent: a request or endorsement from a regional organization. Due to various factors—including internal politics, concerns about exacerbating regional instability, contestation surrounding the Responsibility to Protect (R2P)

norm, and ASEAN's unique approach to regional diplomacy—neither the League of Arab States (LAS) nor the Association of Southeast Asian Nations pushed for international intervention to protect civilians. Both organizations continued to engage diplomatically with Syria and Myanmar respectively, with divisions among their member states making a strong position difficult to achieve. Absent this crucial source of pressure, Council members had little leverage to push China and Russia toward even permitting discussion of sanctions.

This core set of conditions—P5 alignment with the perpetrator state, and the absence of regional support for intervention—can explain Security Council inaction in the face of state-perpetrated atrocities, such as the 2021 Tigray crisis in Ethiopia. However, it is not the only explanation; in other words, the absence of intervention is not always due to P5 shielding and regional silence. The theory advanced underscores that multiple necessary conditions, both proximate and underlying, are required for intervention. As a result, inaction may result from the absence of *any* one of these conditions. This chapter examines the case of Kenya's 2008 post-election violence to illustrate how the theory can account for diverse cases of non-intervention, including those where P5 strategic interests are not directly implicated, and where regional organizations lead crisis management efforts.

In Kenya, no P5 state aligned with the government, yet intervention still did not occur. The situation was deemed grave enough to be placed on the Security Council agenda, the government was militarily weak, and R2P enjoyed broad consensus. In this case, however, only one trigger event for intervention occurred, and even then, under inhibiting conditions: large-scale violence against civilians escalated in Kenya (with over 1,000 civilian deaths), but without evolving into an armed conflict. Partly as a result, the Council did not recognize the situation as a threat to international peace and security (the body held one closed meeting on the situation and

adopted only a presidential statement). Moreover, unlike any of the other cases examined, UN officials did not at the time characterize the violence as international crimes (they primarily viewed the situation as one of atrocity *risk*), though the invocation of R2P did focus the Council’s attention on the crisis. Finally, the third trigger for intervention—a regional request or endorsement, which would have come from the African Union (AU)—was also absent.

The absence of both a UN atrocity characterization and regional support for intervention did not stem from geopolitics, but rather a different factor not observed in any other case examined: diplomacy worked. After Kenya’s contested December 2007 presidential election, then–UN Secretary-General Kofi Annan successfully mediated between the conflict parties, securing a power-sharing agreement by February that quelled interethnic violence. Moreover, the government itself launched an investigation into atrocity allegations, forming a domestic Commission of Inquiry on Post-Election Violence, known as the Waki Commission, in early February 2008. As a result, there was neither time nor need to establish a UN investigation during the crisis. Likewise, both parties’ active cooperation with mediators meant there was no perceived need to resort to coercion. Examining Kenya’s case is crucial because it challenges the common assumption that international inaction always stems from P5 politics. In some cases, intervention is simply deemed unnecessary because diplomacy successfully de-escalates the crisis.

Table 9.1 Conditions for UNSC Action in Kenya

Causal Role	Causal Directness	Condition	Value
Necessary	<i>Proximate</i>	Large-scale violence during armed conflict	Present
		UN atrocity characterization	Absent
		Regional endorsement of intervention	Absent
	<i>Underlying</i>	Absence of P5 alignment	Present
		Article 39 threat designation	Absent
		Consensus on failure of non-coercive means	Absent

Enabling	<i>Proximate</i>	Secretary-General request for intervention	Absent
	<i>Underlying</i>	R2P salience	Strong
		Perpetrator military strength	Weak
		Rapid response capabilities	Adequate

9.1 Kenya’s Post-Election Crisis, 2007–2008

Since gaining independence from the United Kingdom in 1963, Kenya has faced a long and hard road to democracy.¹ At the same time, the country has endured a history of interethnic violence fueled by grievances over political, social, and economic inequality.² Throughout the twentieth century, successive governments exploited ethnic divisions to maintain power, pitting the majority Kikuyu ethnic group—which was favored under British colonial rule and by Kenya’s first president—against smaller ethnic groups.³ These administrations fueled competition for scarce resources and political influence among communities such as the Luhya, Luo, Kalenjin, Kamba, and Kisii, deepening ethnic tensions and fracturing national unity. Similar to Côte d’Ivoire’s trajectory during the 1990s, ethnicity became the “principal axis on which political elites mobilize[d] constituencies,”⁴ with elections most often won based on ethnic alliances.

Against this backdrop, Kenya had already experienced post-electoral violence twice during its transition to a multi-party system: first in 1992 and again in 1997. The 2003 elections, which saw long-time President Daniel arap Moi ousted after nearly 25 years in power, marked a watershed moment in the country’s democratization.⁵ Moi had maintained his rule by forging a

¹ Jennifer Cooke, “Background on the Post-Election Crisis in Kenya,” *Smart Global Health* (Center for Strategic and International Studies), August 6, 2009, <https://www.csis.org/blogs/smart-global-health/background-post-election-crisis-kenya>.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

coalition of minority ethnic groups to challenge the previously dominant Kikuyu elite. In 2002, he endorsed Uhuru Kenyatta, a Kikuyu, as his successor, pitting him against another Kikuyu, Mwai Kibaki, who led the National Rainbow Coalition (NARC). Kibaki's victory was largely attributed to the support of Luo leader Raila Odinga, who had backed him in exchange for a promise to introduce a new constitution that would devolve power away from the presidency and create a new prime minister role, which Odinga was set to fill. ⁶

Once in power, however, Kibaki walked back on this power-sharing promise, sidelining Odinga and his allies in favor of powerful Kikuyu politicians.⁷ He also jettisoned the agreed-upon constitutional draft and instead held a referendum on a new version that retained the presidency's sweeping powers. Kibaki's reversal deepened divisions within the government and fueled national resentment over perceived ethnic favoritism.⁸ In 2005, Kenyans overwhelmingly rejected this proposed constitutional draft, a largely symbolic victory for Odinga that reflected his growing popularity.

These longstanding tensions came to a head in the country's 2007 election on December 27, when Odinga ran against Kibaki. While the run-up to the election was largely peaceful, both candidates played on fears of ethnic dominance and displacement to rally support.⁹ Pre-election polls indicated a nearly even split, making the race too close to call. However, when vote tallying was delayed for two days, suspicions of rigging by the electoral commission began to grow: reports initially indicated that Odinga was leading by 370,000 votes, but the final results released on December 30 declared Kibaki the winner by 200,000 votes.¹⁰ Within hours, he was sworn-in

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ United States Senate Committee on Foreign Relations, *The Immediate and Underlying Causes and Consequences of Kenya's Flawed Election*, 110th Cong., 2nd sess., February 7, 2008, S. Hrg. 110-610, <https://www.govinfo.gov/content/pkg/CHRG-110shrg45361/html/CHRG-110shrg45361.htm>.

as president. Shortly afterward, the head of Kenya's Electoral Commission admitted that he had been pressured to announce the results and was uncertain if Kibaki was the rightful winner.¹¹

Following the announcement of the results and Kibaki's hasty swearing-in, violence erupted spontaneously in Odinga's home province of Nyanza, as well as in Nairobi and the Rift Valley, targeting Kikuyu and Kisii communities perceived as aligned with Kibaki.¹² In Nyanza, the violence was initially directed at government facilities before escalating into looting and the destruction of private property.¹³ While Kikuyus and Kisiis were also targeted, the primary intent appeared to be displacement and property destruction rather than outright mass killings.¹⁴ However, according to Human Rights Watch, patterns of violence soon indicated organization and planning by politicians, businessmen, and local leaders.¹⁵ In the Rift Valley and Nairobi, Kikuyu gangs were enlisted to target and expel Luos, Luhyas, and Kalenjins. Reports also emerged of widespread, systematic rape and sexual violence in Nairobi's slums, targeting both Kikuyus and ethnic minorities, along with excessive use of force and looting by Kenyan police.¹⁶ Between January and February 2008, the violence resulted in over 1,100 deaths, 350,000 people displaced, the destruction of 120,000 private and 500 government-owned properties destroyed, and an unknown number of rape victims.¹⁷

The international community reacted swiftly to the outbreak of violence.¹⁸ Then-US Secretary of State Condoleezza Rice, along with Assistant Secretary of State for African Affairs

¹¹ Ibid.

¹² Cooke, "Background on the Post-Election Crisis in Kenya."

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Ibid.; Human Rights Watch, "Ballots to Bullets: Organized Political Violence and Kenya's Crisis of Governance," August 11, 2009, <https://www.hrw.org/report/2008/03/17/ballots-bullets/organized-political-violence-and-kenyas-crisis-governance>.

¹⁶ Cooke, "Background on the Post-Election Crisis in Kenya."

¹⁷ Ibid.

¹⁸ Ibid.

Jendayi Frazer, immediately traveled to Nairobi in January 2008 to push both sides to negotiate.¹⁹ The presidents of Tanzania and Ghana, as well as South Africa's Desmond Tutu and Cyril Ramaphosa, also became involved in mediation efforts.²⁰ Crucially, Kofi Annan—backed by Kenyan civil society groups—took an active role in crisis management, leading a concerted push to broker a power-sharing agreement. Under the proposed agreement, Kibaki would remain president, while Odinga would assume a newly created position of prime minister, with cabinet positions split 50–50 and the number of government ministries expanded. After a month and a half of mediated negotiations, both parties agreed to form a unity government and pursue reforms to address the underlying causes of intercommunal conflict.²¹

Kenya's crisis is considered a rare case of international mediation successfully deescalating atrocity crimes and forestalling armed conflict.²² The country's success story shows how strong regional leadership, combined with international backing, can quell political upheaval and escalating violence against civilians, as well as the need for the Security Council to resort to coercive measures.²³ The following sections more closely examine the pattern of violence in Kenya from December 2007 to February 2008 and the international community's response to illustrate these dynamics. The analysis demonstrates how decisive action by international and regional actors, skilled mediation, and the cooperation of the conflict parties helped prevent the crisis from escalating further, ultimately avoiding the need for the Security Council to step in.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Meredith Preston-McGhie and Serena Sharma, "Kenya," in *The Responsibility to Protect*, 2011; online ed., Oxford Academic, January 19, 2012, 13, <https://doi.org/10.1093/acprof:oso/9780199797769.003.0030>.

²² Ibid.

²³ Ibid.

9.2 The Escalation of Large-Scale Violence Against Civilians

In the wake of Kenya's post-election violence in late December 2007, the Security Council did not convene formal meetings on the situation. Instead, the AU and heads of African states led the international response, with support from the UN and the broader international community. Following the outbreak of violence against Kikuyu and Kisii communities on December 30, retaliatory attacks against ethnic minority groups quickly ensued. Two days later, a mob in the city of Eldoret attacked and burned a church where hundreds were sheltering, killing at least 30 people, most of them Kikuyu.²⁴ By January 3, the unrest had left 300 people dead nationwide and displaced 100,000, with Kibaki accusing Odinga's supporters of unleashing a "genocide" and condemning the "senseless violence."²⁵ Kenya's attorney general, Amos Aako, warned that the "level and nature of the violent protest [had] never before been witnessed in [Kenya] and [was] quickly degenerating into a catastrophe of unimaginable proportions."²⁶ Still, despite the backlash against him, Kibaki publicly appealed for calm, stating he was "ready to have a dialogue with concerned parties once the nation is calm and the political temperatures are lowered enough for constructive and productive engagement."²⁷

The violence in Kenya immediately rocked the east African region. Most significantly, it disrupted regional trade, making the road from the coastal port of Mombasa to Nairobi (and onward to Uganda, Rwanda, and southern Sudan) nearly impassable.²⁸ By mid-January 2008, the

²⁴ The New York Times, "Mob Burns a Church in Kenya as Hundreds Shelter Inside," January 1, 2008, <https://www.nytimes.com/2008/01/01/world/africa/01iht-01kenya2.8973756.html>.

²⁵ Ibid.; The Guardian, "From Fraud to Tragedy," January 3, 2008, <https://www.theguardian.com/commentisfree/2008/jan/03/leadersandreply.mainsection1>.

²⁶ "Kenya Violence: Mobs Attack Churches and Businesses." CNN (via Internet Archive), January 3, 2008. <https://web.archive.org/web/20080225101040/http://edition.cnn.com/2008/WORLD/africa/01/03/kenya.violence/>.

²⁷ Ibid.

²⁸ Serena K. Sharma, "The 2007–8 Post-election Crisis in Kenya: A Case of Escalation Prevention," in *The Responsibility to Prevent: Overcoming the Challenges of Atrocity Prevention*, ed. Serena K. Sharma and Jennifer M. Welsh (Oxford: Oxford University Press, 2015), 284, <https://doi.org/10.1093/acprof:oso/9780198717782.003.0011>.

Kenya Private Sector Alliance (KEPSA) warned that hundreds of thousands of jobs could be lost if the violence continued, estimating business losses at \$3.4 billion.²⁹ Beyond Kenya's borders, the unrest triggered fuel shortages in Kigali, Juba, and Kampala and drove up the cost of goods, stoking fears of wider regional instability.³⁰

African states responded quickly to Kenya's crisis as a result. In early January, Ghanaian President John Kufuor and AU chairman Jakaya Kikwete traveled to Kenya to try to mediate between the conflict parties.³¹ Kibaki had already offered to hold talks, but Odinga refused unless they were internationally mediated, dismissing the offer as a "public relations gimmick."³² On January 9, Kufuor met separately with both Kibaki and Odinga. After two days of talks, neither party had met directly nor reached any agreement to end the crisis, but Kufuor persuaded them to continue working with Kofi Annan and a high-level panel of African leaders, known as the AU Panel of Eminent African Personalities (AU Panel).³³ The following day, Annan was officially appointed as the AU's chief mediator, formally taking over efforts from Kufuor and Kikwete.

As regional mediation efforts got under way, international pressure mounted on the two leaders. On January 12, the European Union (EU) declared that there could be "no business as usual in Kenya" without a compromise to end the dispute.³⁴ Two days later, Jendayi Frazer—who had met with Odinga a week prior and convinced him not to demand Kibaki's resignation if

²⁹ Ibid.

³⁰ Ibid.

³¹ Reuters, "African Union Head Plans Mediation in Kenya Turmoil," January 2, 2008,

<https://www.reuters.com/article/economy/african-union-head-plans-mediation-in-kenya-turmoil-idUSL02148840>.

³² Barry Moody and Daniel Wallis, "Kenya Opposition Rejects Bilateral Crisis Talks," *Reuters*, January 8, 2008, <https://www.reuters.com/article/economy/kenya-opposition-rejects-bilateral-crisis-talks-idUSL08520443>.

³³ Voice of America, "Post-Election Violence in Kenya and Its Aftermath," January 10, 2008, <https://www.voanews.com/a/a-13-2008-01-10-voa17-66729392/561122.html>.

³⁴ Sydney Morning Herald, "Pressure Mounts on Kenya's Leaders," *SMH.com.au* (via Internet Archive), January 13, 2008, <https://web.archive.org/web/20080314042916/http://news.smh.com.au/pressure-mounts-on-kenyas-leaders/20080113-11nb.html>.

he accepted an international mediator—reiterated that the United States “cannot conduct business as usual in Kenya,”³⁵ urging Kibaki and Odinga to “sit together directly and without preconditions.”³⁶

By the time Annan and his AU mediation team arrived on January 22, tensions were running high, largely due to Kibaki preemptively announcing key cabinet appointments. On January 8, Kibaki had appointed 17 ministers to his new cabinet, stating that the remaining positions would be filled later.³⁷ Only two appointees were members of Odinga’s party—the Orange Democratic Movement (ODM)—and neither were given senior positions. While Kibaki alleged he was reserving the remaining positions for ODM members following negotiations, the move sparked backlash, with the ODM’s Secretary-General, Peter Nyong’o, declaring the cabinet illegitimate.³⁸ *The Daily Nation*, Kenya’s most widely read newspaper, called the move a “sign of bad faith,” warning that it could “poison the atmosphere.”³⁹ The United States also publicly stated it was “disappointed by the move” and had “expressed its displeasure” to Kibaki.⁴⁰

Significantly, it was around this time that the UN Office on Genocide Prevention and the Responsibility to Protect (OSAPG) became involved in crisis management. Coincidentally, Kenya’s 2007 general elections coincided with the appointment of Edward Luck as the first-ever Special Adviser on the Responsibility to Protect. While the position of Special Adviser on

³⁵ Jeffrey Gettleman, “U.S. Presses Kenyan President and Opposition Leaders to Meet,” *The New York Times*, January 13, 2008, <https://www.nytimes.com/2008/01/13/world/africa/13kenya.html>.

³⁶ Ibid.

³⁷ BBC News, “Kenya Leader Names New Ministers,” January 8, 2008, <http://news.bbc.co.uk/2/hi/africa/7177338.stm>.

³⁸ Ben Sihanya and Ducan Okell, “Mediating Kenya’s Post-Election Crises: The Politics and Limits of Power Sharing Agreement,” in *Tensions and Reversals in Democratic Transitions: The Kenya* (Nairobi: University of Nairobi, School of Law, 2007), 653–709, <https://erepository.uonbi.ac.ke/handle/11295/52232>.

³⁹ Wangui Kanina and Duncan Miriri, “African Union Head Meets Kenya’s Feuding Parties,” Reuters, January 9, 2008, <https://www.reuters.com/article/economy/african-union-head-meets-kenyas-feuding-parties-idUSL0999685/>.

⁴⁰ Ibid.

Genocide Prevention had been created in 2004—a role filled by Juan Méndez of Argentina until 2007, and subsequently by Sudan’s Frances Deng until 2008—the position of Special Adviser on the Responsibility to Protect (R2P) was only created two years later, following R2P’s adoption in 2005. While the Special Advisers roles are distinct, they are complementary in that both advisers are tasked with supporting early warning and prevention and advising the Secretary-General and the Security Council on atrocity matters.

In Kenya, Luck played a crucial role in framing the situation as one of atrocity risk. As the situation in Kenya deteriorated in early January, Luck, with the support of then–Secretary-General Ban Ki-moon, designated Kenya as the first-ever “test case” for R2P.⁴¹ According to Luck:

We were not set up in any way, shape, or manner. We hadn’t even begun the bureaucratic debate. But the situation there looked like an R2P contingency in terms of the risk of growing violence. It clearly was a case for prevention. Whether there was actually ethnic cleansing happening or not, it looked a lot like ethnic cleansing. And the numbers were getting pretty high and the possibility of escalation seemed very real. So it just seemed important to me to flag this one early, and to say it’s an R2P situation. Now we had no mechanism set up or anything. So it was a little premature, but other senior UN officials agreed.⁴²

Ban Ki-moon reinforced this framing, becoming one of the first senior officials to invoke R2P (specifically its first pillar) with respect to Kenya. Three days after violence erupted on December 30, Ban released a press statement stating that he was “increasingly troubled by the escalating tensions and violence in Kenya in the aftermath of last week’s elections” and “remind[ing] the Government, as well as the political and religious leaders of Kenya, of their legal and moral responsibility to protect the lives of innocent people.”⁴³

⁴¹ Sharma, “The 2007–8 Post-election Crisis in Kenya,” 286.

⁴² Quoted in *ibid.*

⁴³ United Nations, “Secretary-General Troubled by Escalating Kenyan Tensions, Violence,” SG/SM/11356, January 2, 2008, <https://press.un.org/en/2008/sgsm11356.doc.htm>.

Throughout January, R2P discourse gained traction among international leaders. A week later, French Foreign Minister Bernard Kouchner cited R2P in urging the Security Council to act, stating: “In the name of the responsibility to protect, it is urgent to help the people of Kenya. The United Nations Security Council must take up this question and act.”⁴⁴ On January 28, Francis Deng issued a statement noting that “political and community leaders [in Kenya] may be held accountable for violations of international law committed at their instigation” and urging them to “meet their responsibility to protect the civilian population and prevent the violence.”⁴⁵ Desmond Tutu later said of the international community’s response: “What we are seeing in Kenya is action on a fundamental principle—the Responsibility to Protect.”⁴⁶

At the same time, according to former US Ambassador to the UN Susan Rice, “the Responsibility to Protect was explicitly not part of the debate in the Council...and it was difficult even to build support for a Council vote of confidence in Annan’s mission.”⁴⁷ She observed in respect of Kenya: “Raising the R2P flag may be morally satisfying, but it can be politically fraught.”⁴⁸ Despite these difficulties, the use of R2P as a framing tool *did* shape Kofi Annan’s view of the crisis and the international community’s role in de-escalation. In an interview in 2012, Annan stated:

I saw the crisis in the R2P prism with a Kenyan government unable to contain the situation or protect its people...I knew that if the international community did not intervene, things would go hopelessly wrong...Kenya is a successful example of R2P at work.⁴⁹

⁴⁴ Quoted in Sharma, “The 2007–8 Post-election Crisis in Kenya,” 288.

⁴⁵ United Nations (UN) News, “UN Genocide Adviser Urges End to Violence in Kenya, Sends Staffer There,” January 28, 2008, <https://news.un.org/en/story/2008/01/247072>. Quoted in Sharma, “The 2007–8 Post-election Crisis in Kenya,” 288.

⁴⁶ Quoted in Sharma, “The 2007–8 Post-election Crisis in Kenya,” 288.

⁴⁷ Susan E. Rice, “Remarks on the UN Security Council and the Responsibility to Protect,” International Peace Institute Vienna Seminar, June 15, 2009. Quoted in Sharma, “The 2007–8 Post-election Crisis in Kenya,” 288.

⁴⁸ *Ibid.*

⁴⁹ Quoted in Sharma, “The 2007–8 Post-election Crisis in Kenya,” 288.

Importantly, by “intervention,” Annan was referring not to coercive measures but to “pillar 3a” of R2P: the international community’s responsibility to step in and use peaceful means to de-escalate violence when states are unwilling or unable to.⁵⁰

9.3 International Mediation: A Rare Success Story

That is exactly what Annan and his mediation team did. The day after arriving in Kenya on January 22, the AU Panel held separate meetings with Kibaki and Odinga to understand their perspectives and lay the groundwork for negotiations.⁵¹ Despite mutual mistrust, Odinga’s party expressed its readiness to reach an agreement, as long it was internationally mediated.⁵² With this first step, the Panel worked quickly to set an agenda.⁵³ Recognizing the strained relationship between Kibaki and Odinga, Annan opted for a “negotiation by proxy” approach, wherein each leader selected appointed four negotiators to represent their side in the talks, rather than directly confronting each other.⁵⁴ At the same time, with over 500 people dead, the Panel decided it was crucial to demonstrate immediate progress in diffusing tensions to boost public confidence in mediation efforts.⁵⁵

To that end, Annan facilitated the first in-person meeting between the two leaders since the election the following day. Kibaki and Odinga shook hands and expressed their desire for

⁵⁰ Alex J. Bellamy, *Peaceful Means in the Third Pillar of the Responsibility to Protect*, Policy Analysis Brief No. 116 (Stanley Center for Peace and Security, December 2015), <https://stanleycenter.org/publications/pab/Bellamy3rdPillarPAB116.pdf>. https://r2pasiapacific.org/files/10183/R2P_Framework2023_FinalDigital.pdf.

⁵¹ African Union (AU) Panel of Eminent African Personalities, *Back from the Brink: The 2008 Mediation Process and Reforms in Kenya* (Addis Abba: Office of the AU Panel of Eminent African Personalities, 2014), 23, https://www.kofiannanfoundation.org/wp-content/uploads/2014/08/backFromBrink_web.pdf.

⁵² *Ibid.*, 24.

⁵³ McGhie and Sharma, “Kenya,” 285.

⁵⁴ AU Panel of Eminent African Personalities, *Back from the Brink*, 24.

⁵⁵ *Ibid.*

dialogue and peace, marking a significant step toward reconciliation.⁵⁶ Several days later, the Panel held a press conference urging Kenyans to refrain from acts of revenge.⁵⁷ On January 28—just a week after arriving—the AU Panel formally launched negotiations on a power-sharing agreement through the Kenya National Dialogue and Reconciliation process (KNDR). At the opening ceremony, which was broadcast live from Kenya’s National Assembly, Annan stated that agreement on short-term issues, including stopping the violence and addressing the humanitarian crisis, could be reached within four weeks, provided both parties remained committed—a subtle move to hold both leaders accountable.⁵⁸ Still, the situation remained fragile. On January 29 and 31, two ODM Members of Parliament were killed, triggering a fresh wave of violence against Kikuyus.⁵⁹ In response, the Panel cut short its meetings and publicly appealed for calm.

Two days later, the AU Panel, with the support of Kenyan civil society, helped both sides agree to a structured agenda to address both immediate and longer-term issues contributing to the crisis—the KNDR’s first major success. The agenda was comprised of four key points: “stopping the violence and restoring fundamental human rights” (Agenda Item 1), “addressing the humanitarian crisis and promoting national reconciliation” (Agenda Item 2), “overcoming the political crisis” (Agenda Item 3), and “developing longer-term strategies for a durable peace” (Agenda Item 4).⁶⁰

While agenda-setting represented major progress, conditions on the ground continued to deteriorate. On February 1, the Kenyan Red Cross, which was tracking casualties, reported that

⁵⁶ Reuters, “Chronology: Kenya in crisis after disputed elections,” February 8, 2008, <https://www.reuters.com/article/economy/chronology-kenya-in-crisis-after-disputed-elections-idUSL08910821>.

⁵⁷ AU Panel of Eminent African Personalities, *Back from the Brink*, 25.

⁵⁸ *Ibid.*, 26.

⁵⁹ *Ibid.*, 28.

⁶⁰ Sharma, “The 2007–8 Post-election Crisis in Kenya,” 285.

the death toll from the violence had risen to at least 1,000 following violent weekend clashes in the Rift Valley.⁶¹ In a significant move, the Chief Prosecutor of the International Criminal Court (ICC) announced a preliminary examination into the post-election violence on February 5, focusing on alleged crimes against humanity in eight provinces.⁶² The next day, the Security Council held a closed meeting to discuss the situation in Kenya under the agenda item “Peace and Security in Africa.” The meeting followed a briefing from the Under-Secretary-General for Political Affairs, B. Lynn Pascoe, on January 30.⁶³ After deliberating, the Council adopted a presidential statement that same day expressing deep concern that, “despite the commitments made on 1 February, civilians continue to be killed, subjected to sexual and gender-based violence, and displaced from their homes.”⁶⁴ The Council emphasized that the “only solution to the crisis lies through dialogue, negotiation, and compromise,”⁶⁵ and strongly urged Kenya’s political leaders to elaborate and implement the actions agreed to in the framework.

Significantly, the statement “welcomed the decisions, following consultations with the Government of Kenya, of the High Commissioner for Human Rights and the Special Adviser to the Secretary-General on the Prevention of Genocide to dispatch missions to Kenya,” calling on Kenya’s leaders to “facilitate the work of these missions” and stating that it “looked forward to being informed by the Secretary-General of their findings.”⁶⁶ The text referred to an FFM deployed by the UN Human Rights Office to conduct three weeks of research to “assess

⁶¹ Reuters, “Chronology: Kenya in crisis after disputed elections”; Jeffrey Gettleman, “Death Toll in Kenya Exceeds 1,000, but Talks Reach Crucial Phase,” *The New York Times*, February 6, 2008, <https://www.nytimes.com/2008/02/06/world/africa/06kenya.html>.

⁶² International Criminal Court, “Kenya,” <https://www.icc-cpi.int/kenya>.

⁶³ United Nations Office of the Spokesperson for the Secretary-General, “Secretary-General Ban Ki-moon Addresses African Union Summit,” January 30, 2008, <https://www.un.org/sg/en/content/highlight/2008-01-30.html>.

⁶⁴ United Nations Security Council (UNSC), S/PRST/2008/4, January 30, 2008, <https://docs.un.org/S/PRST/2008/4>, 1.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*, 1–2.

allegations of recent grave human rights violations in the country,” as well as a decision by Deng to dispatch one of his staff members to examine the situation. While the Council did not directly cite the risk of atrocity crimes in the statement, its expression of support for these missions indicates that members viewed the situation as one of atrocity risk.

By February 12, intensive negotiations began on a political settlement to the crisis, with focused discussions under way on power-sharing arrangements, in line with Agenda Item 3. Annan had made a skillful move by organizing a retreat to allow both parties to negotiate contentious issues, particularly around Item 3, in private.⁶⁷ Two days later, both parties signed an agreement to establish an Independent Commission on the Review of the 2007 Elections (IREC) to investigate the election and make findings and recommendations to improve future cycles. The following day, a tentative agreement was reached on creating a coalition government that would introduce a new Prime Minister position.⁶⁸

The Panel’s communication strategy—designed to be transparent and build public confidence in the mediation process—was also key to the KDMR’s success.⁶⁹ Annan and the AU Panel held regular press conferences, met with Kenya civil society and other domestic stakeholders, and created a website on which all KNDR agreements and press statements were published.⁷⁰ To prevent the spread of misinformation, the Panel discouraged negotiation teams from speaking to the media and facilitated the translation of press conferences into Kiswahili, ensuring broad swaths of the population could access updates. Furthermore, all agreements and decisions were signed by every member of the negotiation teams, witnessed by Annan, and

⁶⁷ AU Panel of Eminent African Personalities, *Back from the Brink*, 38.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

⁷⁰ AU Panel of Eminent African Personalities, *Back from the Brink*, 28.

immediately made public—a transparent approach that helped drive momentum and build public confidence.⁷¹

In addition to these internal measures, pressure from the international community helped advance the negotiations. On January 19, EU Commissioner for Development and Humanitarian Aid Louis Michel held separate meetings with Kibaki and Odinga, warning that the bloc would take firm action against anyone attempting to derail the mediation process.⁷² (The EU was one of Nairobi’s top donors, and at this stage, was planning to commit 383 million euros in aid to Kenya from 2008 to 2013.⁷³) The United Kingdom, Switzerland, and Canada also threatened to impose travel bans against politicians linked to the violence or who subverted democracy, while Australia warned that it would limit contact with Kibaki’s cabinet.⁷⁴ When negotiations hit an impasse in mid-February, measured international pressure again helped both parties focus on finding a solution.⁷⁵ Then—US President George Bush publicly supported calls for power-sharing, dispatching Condoleezza Rice on February 18 to pressure the negotiating teams toward an agreement and reiterate that “business would not continue as usual” until they reached a power-sharing agreement.⁷⁶

Nonetheless, the two sides hit an eleventh-hour roadblock over the question of governance structure. Despite continued negotiations on February 25 and 26, no progress was made, and the parties appeared unable to narrow their gaps, including divergent views over the

⁷¹ Ibid., 29.

⁷² Reuters, “EU Aid Commissioner Visiting Kenya,” January 19, 2008, <https://www.reuters.com/article/economy/eu-aid-commissioner-visiting-kenya-idUSL19406364>.

⁷³ Reuters, “EU Assembly Urges Freeze of Aid to Kenya,” January 17, 2008, <https://www.reuters.com/article/idUSL17197932/?edition-redirect=in>.

⁷⁴ AU Panel of Eminent African Personalities, *Back from the Brink*, 32.

⁷⁵ Ibid.

⁷⁶ Ibid., 42.

powers and responsibilities of the Prime Minister and the representation of each party in the coalition government.⁷⁷

Fearing that the situation in Kenya could reach the magnitude of the 1994 Rwandan genocide, Annan switched tactics, suspending negotiation team talks and speaking directly with Kibaki and Odinga, while enlisting stronger international backing to push through a deal.⁷⁸ Annan invited the president of Tanzania to attend the meeting, who explained how Tanzania operates with both a President and a Prime Minister.⁷⁹ At the same time, he appealed to Rice, who issued a statement that US relations with Kenya depended on both parties' agreement to the compromises on the table and warning that the United States would "draw conclusions" as to who was responsible for the lack of progress and take necessary steps.⁸⁰

On February 27, Annan met with Odinga and Kibaki separately and convinced them it was "time to make a deal," warning that the following day would be the final round of negotiations. Annan later wrote that he decided to face Kibaki directly when the number of fatalities rose to 1,000, warning: "Mr President, over 1,000 people are dead. It's time to make a deal. This [is] my last play."⁸¹ On February 28, both parties signed the Agreement on the Principles of Partnership of the Coalition Government in a ceremony attended by scores of foreign ambassadors and broadcast live on Kenyan television.⁸² The agreement established a power-sharing government, with Kibaki as president and Odinga assuming the role of prime minister, ending what is considered Kenya's worst political crisis since gaining independence.

⁷⁷ Ibid., 41

⁷⁸ Justus Ochieng and Pauline Kairu, "Annan: How I got Kibaki, Raila to sign peace accord," *Nation.Africa*, September 5, 2012, <https://nation.africa/kenya/news/politics/annan-how-i-got-kibaki-raila-to-sign-peace-accord--827156>.

⁷⁹ AU Panel of Eminent African Personalities, *Back from the Brink*, 41

⁸⁰ Ibid.

⁸¹ Ochieng and Pauline Kairu, "Annan: How I got Kibaki, Raila to sign peace accord.

⁸² Mark Tran, "Kenya's Leaders Agree Power-Sharing Deal," *The Guardian*, February 28, 2008, <https://www.theguardian.com/world/2008/feb/28/kenya>.

9.4 Conclusion

Sometimes, diplomacy works. The case of Kenya illustrates that Security Council inaction in the face of mass atrocity risk does not always result from geopolitics. The process leading to intervention is highly contextually bounded, meaning it unfolds only when a specific and complex set of conditions align, and that the absence of any one of these conditions can prevent it from advancing. On rare occasions, this is not a sign of international failure to act, but rather of success in de-escalating the violence through diplomacy, thereby averting the need to resort to coercion.

In Kenya, just two of the necessary conditions for intervention were (nearly) met: large-scale violence against civilians escalated during the country's post-election crisis—leaving over 1,000 civilians dead within two months—and no P5 state aligned with Kibaki's government. However, the violence did not escalate into a full-scale armed conflict, despite widespread fears of a wider civil war. The reasons for this were numerous, including the fact that Kibaki retained near total control over state security forces, no armed insurgency emerged backing Odinga, the ODM called off mass protests rather than egging on its supporters, and both regional actors and Kenyan civil society acted swiftly to defuse tensions.⁸³

Absent active hostilities, African states actively mediating a political solution, and both conflict parties cooperating and calling for de-escalation, the Security Council did not meet to discuss the situation in January, only adopting a presidential statement in early February expressing support for mediation and fact-finding efforts. It did not determine that the situation

⁸³ Al Jazeera, "Kenya Opposition Calls Off Protest," January 3, 2008, <https://www.aljazeera.com/news/2008/1/3/kenya-opposition-calls-off-protest>; Xan Rice, "Kenya street protests called off after police are accused of killing seven," The Guardian, January 18, 2008, <https://www.theguardian.com/world/2008/jan/18/kenya.international>; Civil Societies News, "The Role of Civil Society Played in Ending the 2007/08 Post-Election Violence," June 2, 2025, <https://www.civilsocieties.org/the-role-of-civil-society-played-in-ending-the-2007-08-post-election-violence/>.

constituted a threat to international peace and security. Ultimately, the AU Panel led by Kofi Annan successfully pressured both parties to reach a settlement, establishing a power sharing agreement that ended the violence and precluded the need for the Council to step in.

Examining the case of Kenya highlights that, whereas there is only one narrow pathway to intervention—one specific, rare set of conditions that must be met—there are numerous pathways to inaction, not all of which reflect political or moral failure to act. The theory advanced explains why and how the decision-making process may stall at numerous junctures, often because states' strategic interests are at play, but sometimes because contextual conditions align that preclude the need to escalate to coercion. Ideally, interventions *should* remain rare, with non-intervention the sign of a successful diplomatic response.

Indeed, Kenya is remarkable because it shows how R2P can be applied for the purpose of prevention: to frame situations of risk and rally support for preventive measures, well before the violence meets the threshold of atrocity crimes. Though preventive applications of R2P remain challenging today, the case of Kenya models how timely, skilled diplomacy—supported by credible threats of meaningful consequences for non-compliance—can avert the need for coercive, and especially military, measures. At the same time, it highlights that the diplomatic resolution of atrocity situations depends on the conflict parties' incentives to seek resolution rather than escalation: had either Kibaki or Odinga calculated that prolonging the conflict served their interests better than compromise, Kenya may have continued down a different, and much darker, path.

Chapter 10

Conclusion

“Though force can protect in emergency, only justice, fairness, consideration and cooperation can finally lead men to the dawn of eternal peace.”

– Dwight Eisenhower, 1953

Decisions by the United Nations (UN) Security Council to intervene in situations of atrocity crimes are not one-off cost-benefit calculations driven by a single, “overriding” motive—norms or interests. When Council members deliberate whether to adopt a resolution authorizing Chapter VII measures to prevent or halt such crimes, a complex process has already unfolded, contingent on a highly specific set of conditions. This thesis demonstrated that intervention decisions emerge from the interaction of both material, institutional, and political, and normative conditions, which play distinct causal roles and vary in their proximity to the outcome. It also showed that the selectivity of international interventions cannot be attributed solely to the parochial interests of the Council’s permanent members (P5). The causal process leading to intervention is contingent and contextually bounded, requiring three “trigger” events and underlying forms of alignment and consensus. This means that the absence of just one condition can derail or stall the decision-making process, resulting in inaction. Put simply, there are many pathways to inaction in the face of atrocity crimes, but only one narrow pathway to intervention.

Within the existing literature on UN intervention (focused primarily on the conditions under which Security Council deploys peacekeepers in armed conflict), scholarly debate has focused on whether “interventions” are best explained by humanitarian norms or national

interests, with scholars seeking to adjudicate between these two perspectives to uncover the “true” motive for state action. Constructivists emphasize the causal role of human rights norms, arguing that the international normative environment of the twenty-first century has created enabling conditions for interventions in massive human rights abuses. Yet constructivist theories, particularly those advanced by first wave norm scholars, often struggle to explain why these norms do not exert uniform influence on state conduct over time. Conversely, rationalist scholars posit that interventions are fundamentally driven by strategic motives, whether geopolitical, security, or economic. However, rationalist theories alone do not provide a strong explanation for why interventions have frequently occurred in states of limited strategic significance to P5 members. Nor do they account for the possibility that states may have strategic interests in following norms, such as avoiding reputational harm or enhancing their international standing.

Rethinking Explanations of Intervention

This thesis provided a more nuanced, theoretically rigorous account of the conditions under which the Security Council intervenes in atrocity crimes. Rather than theorizing an overriding motive for state action, it proposed a set of high-level conditions that are jointly sufficient for collective action and may create both strategic *and* normative incentives to intervene. Crucially, it showed *how* these conditions combine and interact to lead to the authorization of Chapter VII measures, revealing the steps of the causal process that either leads to intervention or blocks action when it stalls or breaks down.

Specifically, I showed that a “complete” explanation of the conditions under which intervention (or any social phenomenon) occurs must identify three types of conditions, each of which vary in their causal role: **preclusive conditions**, which render intervention structurally impossible; **necessary conditions**, which are (almost always) required for it to occur; and

enabling factors, which facilitate interventions but are not necessary.⁸⁴ Preclusive conditions explain why intervention is automatically ruled out in some cases. Necessary conditions explain why, among all cases where intervention is theoretically possible, it occurs in some but not others. Finally, enabling factors explain why consensus is easier to achieve, or why the causal process unfolds more quickly in certain contexts, though they are not strictly required. Importantly, each of these conditions can differ in their proximity to the outcome. They may function as **proximate causes**—action or events that catalyze the decision-making process toward intervention—or as **underlying causes** that set the stage for intervention but do not directly trigger it.

In addition to categorizing conditions by their causal necessity and directness, I argued that a strong theory should qualify the nature of causal claims it advances. In contrast to the canonical, deterministic understanding of necessary conditions—*Y only if X*, with one counterexample sufficient to reject a necessary condition hypothesis—this thesis demonstrated that a **probabilistic conception** of necessity is better suited to account for the real-world complexity of multicausal phenomena such as intervention. This conception supports the view that if a theorized condition is almost always necessary for an outcome to occur, with a very limited number of exceptions, the necessary condition hypothesis clearly has merit. In the view of this thesis, *truly* deterministic claims about where and when interventions occur can only be made about preclusive conditions—structural conditions that reduce the probability of intervention to nearly zero. For all other conditions, it is more appropriate to make modest, probabilistic claims about their necessity for intervention: that without them, intervention is highly unlikely, though it could theoretically still occur under exceptional circumstances.

⁸⁴ Gary Goetz and Harvey Starr, eds., *Necessary Conditions: Theory, Methodology, and Applications* (Lanham, MD: Rowman & Littlefield, 2002), 22.

Finally, this thesis revealed that it is important for explanations of Security Council intervention in atrocity crimes to distinguish between the types of perpetrators being targeted (namely, whether they are **state or non-state actors**), and between different forms of intervention, specifically whether the Security Council is considering **sanctions or the use of force**. While the same core process leads to the authorization of Chapter VII measures in any scenario, the pathway to consensus differs slightly: intervening against internationally recognized governments versus armed insurgents, or authorizing sanctions versus military force, requires different thresholds for reaching consensus that such measures are necessary, appropriate, and feasible.

The Central Argument: A Summary

For intervention to be *theoretically possible* in any state that is experiencing or at risk of mass atrocities—defined in this thesis as 100 civilian deaths or other types of one-sided violence within a one-year period—three background conditions must be present. If these conditions are absent, intervention is automatically precluded. First, **(1) the situation must be placed on the Security Council agenda**. If a crisis never reaches the agenda, the Council cannot adopt any measures in response, ruling out the possibility of intervention. Addressing why some atrocity situations reach the agenda while others do not was beyond the scope of this thesis. In brief, it noted that international agenda-setting is driven by diverse factors, including the gravity of the violence and spillover effects; whether a crisis occurs in peacetime or during armed conflict (and is viewed as a domestic or international security matter); levels of media attention; civil society and UN member state advocacy efforts; and the parochial interests of P5 states.

The second and third conditions that preclude intervention are closely related: **(2) the perpetrators must not be a P5 state**, and, in cases of military intervention, **(3) they must not**

be a global or nuclear power. Put simply, intervention is automatically ruled out against China, Russia, the United States (the world's three nuclear-armed great powers), as well as France and the United Kingdom (also nuclear-armed P5 states, though not considered great powers). Furthermore, military intervention is off the table in India, Pakistan, Israel, and North Korea (all non-P5 nuclear-armed states). These two requirements are straightforward: P5 states can veto any measures targeting themselves, while the prospect of nuclear escalation creates intolerable risks when considering military intervention against any nuclear-armed state.

Together, these three conditions explain why intervention was effectively guaranteed to be absent in numerous atrocity situations over the past two decades, from the civil wars in Sri Lanka to Thailand in the late 2000s to the ongoing “wars on drugs” in Colombia and Mexico, state repression in Iran, China’s persecution of the Uyghurs in Xinjiang, and North Korea’s political prison camps. Some crises never reached the agenda, while in other cases, the perpetrator was a P5 or nuclear-armed state. Among the atrocity situations since 2005 where intervention *was* theoretically possible, I proposed a set of **individually necessary and jointly sufficient conditions** to explain why the Security Council intervened in only a small handful of cases, but authorized no enforcement measures in the vast majority.

Specifically, I argued that intervention against *state perpetrators* only occurs when three trigger events occur in succession. First, **(1) violence against civilians must escalate to a large-scale during armed conflict.** In practice, this means civilian deaths (or the believed or reported toll) surpass 1,000 in the context of active hostilities.⁸⁵ To be sure, mass violence against civilians can occur in peacetime contexts (such as state repression or organized criminal

⁸⁵ While there is no numerical threshold for defining “large-scale” or “mass” violence, the Security Council has almost never authorized intervention in an atrocity situation with a civilian death toll lower than roughly 1,000 by the time of authorization.

violence), and not all types of violence that amount to atrocity crimes lead to death (for instance, torture or the destruction of cultural property). Nevertheless, this thesis found that the Security Council has never intervened in atrocity crimes occurring in peacetime—indeed, such situations rarely reach the agenda in the first place—and wartime atrocity situations almost invariably entail civilian deaths, making death tolls the primary metric for the scale of violence.

The escalation of large-scale violence against civilians during armed conflict is a necessary but not sufficient condition for Security Council intervention. A second trigger is also required: **(2) senior UN officials and/or a UN investigation must determine, through a statement to the Council or a report, that atrocity crimes are or may be occurring.**

Crucially, they must also clearly identify the perpetrators of the suspected crimes. This marks a pivotal juncture in the decision-making process for two reasons: it confirms that the violence meets or may meet the threshold of international criminal law violations, and thus constitutes a threat to international peace and security; and it indicates the actor(s) the Council may target. In the words of Nicole Widdersheim, “who says who did what” is a crucial determinant of whether the Council considers authorizing Chapter VII measures against specific actors allegedly responsible for such crimes.

Still, neither violence against civilians nor warnings from UN officials that atrocity crimes are or may be occurring directly prompt the authorization of enforcement measures. A third and final catalyst is also required: **(3) a regional organization must request or endorse international intervention**, typically through a resolution or an official communication. While such a request is not strictly necessary for the Security Council to impose sanctions, in cases of military intervention, it serves as the decisive “trigger” for authorization, without which it does not occur. The reasons are primarily political. Given the volume of situations demanding the

Council's attention globally, regional organizations typically act as "first responders" to emerging crises: they are usually most directly affected by spillover effects, and can respond more quickly and flexibly than the Council. The Council is highly cautious of overstepping regional actors, making a signal from regional organizations that international intervention is needed and wanted crucial for prompting the body to step in.

Offering a complete explanation of why regional organizations request international intervention in some atrocity situations but not others was also beyond the scope of thesis. A key finding, however, is that political legitimacy appears to be decisive: regional organizations have consistently requested or endorsed intervention against deeply unpopular leaders and/or non-state armed actors—who are, by definition, politically illegitimate. Conversely, regional neutrality or opposition to Security Council intervention may stem from a range of factors, including organizational cultural, institutional design, internal politics, or genuine concerns that military action might worsen rather than resolve a crisis.

Together, this sequence of events generates two underlying forms of consensus necessary for the Security Council to collectively intervene in atrocity crimes. First, **(1) Council members must recognize the situation as a threat to international peace and security**, typically through explicit language in a resolution. This condition functions as a gatekeeping step: unless the Council collectively recognizes a situation as such a threat, it falls outside the remit of the body's peace and security mandate, complicating the basis for enforcement action under Chapter VII. While it may seem self-evident that atrocity crimes constitute a threat to the peace, this designation is politically fraught. In practice, whether it materializes depends on the gravity and context of the violence and the strategic interests of P5 states. If violence against civilians remains limited in scope—meaning it occurs on a smaller scale, sporadically, and within

geographically confined areas—and/or in the absence of hostilities, the Council is unlikely to recognize it as such a threat. Furthermore, if a P5 state aligns with the perpetrators, that state can block resolutions containing such language to preclude consideration of coercive measures.

Second, **(2) the Security Council must agree that non-coercive measures are inadequate to halt the violence.** This requirement is implied in the structure of Chapter VII of the UN Charter, which, as an exception to Article 2(4), permits the non-defensive use of force to respond to threats to international peace and security. It is also implied in R2P itself: paragraph 139 of the 2005 World Summit Outcome Document (WSOD) states that the international community may consider collective action when states “manifestly fail to protect their populations *and peaceful means prove inadequate*.”⁸⁶ This means the threshold for considering intervention is *not* the recognition that atrocity crimes are occurring, but rather consensus that diplomatic and other peaceful tools have failed. In practice, this consensus solidifies only when regional organizations request or endorse international intervention.

Crucially, whether these forms of consensus emerge is contingent on a final constraint: **(3) a P5 state must not align with the perpetrators.** P5 states—particularly China, Russia, and the United States—almost always shield governments with which they maintain close bilateral relations, or where they have broader interests in blocking international action. (Notably, France and the United Kingdom rarely wield the veto for this purpose.) Unlike situations where a P5 state *itself* is the perpetrator, P5 alignment with a perpetrator state does not structurally preclude intervention; it simply makes it highly unlikely. This is because alignment is a contextual rather than a structural constraint and can be overridden—even during a crisis—due to shifting

⁸⁶ Emphasis added.

circumstances and incentives. Still, in most cases, the absence of P5 alignment is necessary for intervention to occur.

In sum, the thesis showed that this causal pathway jointly leads to collective international action in response to *state-perpetrated* atrocity crimes. (Due to space constraints, it did not analyze in depth the additional step required for intervention against *non-state actors*: a request for international assistance from the target state.) In the only three cases since 2005 where the Security Council authorized coercive measures in response to state-perpetrated atrocities—Sudan (2006), Côte d’Ivoire (2011), and Libya (2011)—large-scale violence emerged during armed conflict, resulting (or reportedly resulting) in at least 1,000 civilian deaths. In each case, senior UN officials and/or a UN investigation characterized the violence as atrocity crimes, and regional organizations subsequently requested or endorsed international intervention.

Crucially, in all three cases, no P5 state aligned with the government (except for China’s and Russia’s early alignment with Sudan, which waned after a UN investigation concluded that the government was responsible for atrocity crimes). The Security Council recognized each situation as a threat to international peace and security, and, following regional requests for action, reached an agreement that the peaceful means were inadequate, promptly considering Chapter VII measures. Despite differences in regional context, political alignments, and conflict dynamics, the same underlying process led to intervention in each case.

In contrast, the absence of one or more necessary conditions caused the decision-making process in Syria, Myanmar, and Kenya to stall or break down. In the cases of Syria and Myanmar, P5 alignment with the governments, combined with the absence of regional support for intervention, all but guaranteed a lack of consensus among Security Council members. In particular, China and Russia had strategic interests in blocking intervention, opposing the

designation of either situation as a threat to international peace and security and arguing that diplomacy and aid were the only appropriate responses. In Kenya, intervention was absent for a very different reason: the international community successfully de-escalated the crisis by mediating a power-sharing agreement, precluding the need for coercive action.

At the same time, this thesis showed that, in explaining an outcome as complex as intervention, focusing solely on the conditions necessary for it to occur risks overlooking other influential factors. While necessary conditions are the most causally relevant, other factors can play a crucial role in helping to produce the outcome, even if they are not strictly necessary. The thesis identified three such factors that, while not strictly required for the Council to intervene, are often crucial to building momentum by pressuring states to act or diminishing the perceived risks and costs.

The first factor is **(1) the relative strength of the R2P norm**. When consensus on the “frame-claim” structure of R2P’s pillar 3b norm is strong—meaning states accept the idea that protecting populations from atrocity crimes is a global responsibility (frame) and that coercive measures may therefore be justified (claim)—invoking the norm or labeling violence as atrocity crimes can motivate states to support intervention. In both Côte d’Ivoire, Libya, and Sudan, international actors and Security Council members strategically invoked R2P to pressure states to act, with the majority of members citing their responsibility to protect as a justification for action. However, controversy surrounding the 2011 NATO Libya intervention subsequently weakened this consensus, with China and Russia (along with certain Global South states) contesting whether coercive intervention was appropriate. As a result, Western states, as well as

aligned states from the Global South, failed to generate support for intervention in either Syria or Myanmar.⁸⁷

The second enabling factor is **(2) a request or recommendation for intervention from the UN Secretary-General**. In Sudan, Côte d'Ivoire, and Libya, Secretaries-General Kofi Annan and Ban Ki-moon, respectively, endorsed or publicly appealed for intervention. While such endorsements are not strictly necessary to prompt Council action, they add legitimacy and urgency to intervention proposals. Secretary-Generals, however, do not always influence decision-making outcomes in the Council. For example, Ban Ki-moon repeatedly urged the Council in 2012 to set aside national interests and act decisively in Syria, but Russia repeatedly blocked action nevertheless. Nor do Secretary-Generals always advocate for intervention: António Guterres, for instance, has never pushed the Security Council to escalate beyond diplomacy in Myanmar.

The third and final enabling factor is **(3) the existence of rapid response capabilities**, including pre-trained, equipped, and strategically deployed peacekeeping missions or member state forces. By increasing the feasibility and the prospects of success for intervention, robust capabilities can increase support for intervention. However, feasibility considerations are not always decisive in swaying action, and the Security Council may authorize intervention even when international forces lack a clear military advantage. In Sudan and Côte d'Ivoire, the presence of UN and international forces made rapid intervention feasible, though only in Côte d'Ivoire did peacekeepers have a decisive tactical advantage. Likewise, Libya's proximity to forward-deployed U.S. and NATO military assets in the Mediterranean enabled rapid

⁸⁷ Importantly, however, R2P need not be in a state of norm clarification for interventions in atrocity situations to occur. While it was beyond the scope of the thesis to demonstrate through case studies, interventions in Congo, Mali, CAR, and South Sudan occurred even during periods of norm neglect or impasse.

intervention against government forces in Benghazi. In contrast, the Council did not consider military intervention in Syria in 2011 or in Myanmar, which both possess comparatively stronger militaries. Myanmar's Rakhine State is also a mountains region located far from Western military assets, rather than an urban theatre on the Mediterranean coast. As a result, any Western-led intervention would have been riskier and more complex, likely discouraging serious consideration of military options.

Findings and Insights

Three key insights emerge from the findings of this thesis. First, regarding where, when, and against whom interventions occur, the pattern is clear. Before 2011, Security Council interventions targeted politically isolated regimes in militarily weak African states experiencing armed conflict, after they had or were believed to have killed approximately 1,000 civilians. After 2011, they shifted to targeting non-state armed groups in militarily weak African states experiencing armed conflict, responsible for comparable levels of civilian deaths. Put simply, in every case of international intervention in an atrocity situation since 2005, civilian death tolls climbed into the thousands, hostilities were ongoing, the perpetrators were deemed illegitimate and militarily weak, and the capacity to intervene rapidly was in place. The critical shift after 2011 lay in the types of actors being targeted: since authorizing Resolution 1973 in Libya, the Council has never again intervened against a state perpetrating atrocity crimes against its own citizens. Instead, it has only authorized military intervention when governments themselves requested assistance in combatting armed insurgents.

Two conclusions emerge from this finding. First, twenty years after the adoption of R2P, the extent of conceptual innovation in what the Security Council considers a threat to international peace and security remains limited. While the Council has consistently recognized

non-international armed conflicts and concurrent atrocity crimes as threats to the peace, it has been unwilling to treat mass atrocity crimes occurring in peacetime as such threats. In these cases, states—especially China and Russia—have argued that such matters fall under the mandate of the Human Rights Council, not the Security Council, from Venezuela to North Korea and Xinjiang. Put simply, the R2P project has only been partly successful in changing states' ideas about when domestic human rights abuses become a matter of international peace and security.

Second, while R2P did not “die” after Libya, the pillar 3b norm has since lost significant ground in relative importance compared to the state sovereignty norm. Although the Security Council has intervened in multiple atrocity situations since Libya, it has exclusively responded to government requests for assistance in combatting non-state armed groups, avoiding interventions directly targeting state security forces. This suggests that while interventions in atrocity situations can occur when pillar 3b is weak, they rely on other “frames” (such as Protection of Civilians or counterterrorism) to build consensus. Significantly, the main site of contestation has not, in fact, been R2P's underlying normative proposition. Most states still support—or at least do not openly reject—the idea that atrocity crimes are an international concern. Rather, contestation primarily concerns what *action* should follow, specifically whether coercive measures are appropriate. It frequently also centers on the grounds for applying R2P: that is, the data and analysis used to support claims that violence meets the threshold of atrocity crimes and to attribute responsibility to certain actors. On the one hand, this is encouraging for R2P advocates. Despite its controversies, R2P's normative underpinnings retain broad support.

On the other hand, it suggests that the Security Council's role in atrocity prevention will, for the foreseeable future, remain limited to “diplomatic, humanitarian and other peaceful

means.” Since the authorization of the Regional Protection Force (RPF) in South Sudan in 2016, the Council has intervened coercively in an atrocity situation just once, authorizing the Gang Suppression Force (GSF) in September 2025 to neutralize armed gangs in Haiti.⁸⁸ Yet, this intervention closely resembles both the RPF and the three earlier interventions since 2011 (Democratic Republic of the Congo, Mali, and Central African Republic), where the Council authorized international forces to combat non-state armed groups at the governments’ request. Because interventions against P5 and nuclear-armed states are structurally precluded, and P5 alignment with perpetrator states almost always blocks action, the prospects today for enforcement action against state perpetrators of atrocity crimes are dim.

A more fundamental question is why P5 states have grown increasingly unyielding in their alignment with government perpetrators. The rate of veto use has surged since 2011, following a relative decline in the post-Cold War period, primarily by China and Russia to block action in the situations in Syria and Ukraine, and by the United States on Israel/Palestine.⁸⁹ Whereas the United States’ alignment with Israel reflects a longstanding foreign policy position, China and Russia, notably, have often shielded governments not out of close bilateral ties or cooperation, but rather shared strategic interests in countering Western influence globally—Syria and Ukraine being prime examples.

This pattern underscores the new reality R2P advocates face today: a resurgence of great power politics. More fundamentally than fall-out over Libya, this resurgence has stemmed from the entrenchment of authoritarianism in both China and Russia since 2012. Xi Jinping and

⁸⁸ United Nations Security Council, S/RES/2793, September 30, 2025, [https://docs.un.org/S/RES/2793\(2025\)](https://docs.un.org/S/RES/2793(2025)). The GSF replaced the Multinational Security Support Mission (MSSM), a Kenya-led police and military force authorized in October 2023 to address gang violence in Haiti. See: UNSC, S/RES/2699, October 2, 2023, [https://docs.un.org/S/RES/2699\(2023\)](https://docs.un.org/S/RES/2699(2023)).

⁸⁹ United Nations Dag Hammarskjöld Library, “UN Security Council Meetings & Outcomes Tables,” <https://research.un.org/en/docs/sc/quick>.

Vladimir Putin—arguably their countries’ most overtly nationalistic and ideologically driven leaders since the Cold War—have, as a foreign policy objective, sought to challenge perceived Western dominance over the architecture of global governance, including the laws, norms, and institutions that comprise it. Since the return of Donald Trump to the presidency in 2025, the United States has likewise taken an authoritarian turn, openly attacking human rights and international law agendas it long championed. Though driven by distinct motives, the Trump administration’s actions have aligned the United States with China and Russia on undercutting human rights laws and norms, creating an “extraordinary moment of peril”⁹⁰ for human protection agendas. Under these conditions, meaningfully advancing R2P and atrocity prevention within the Security Council appears highly unlikely, both now and looking ahead.

The key third key insight of the thesis points to a potential path forward: collaboration with regional organizations. Support from regional organizations, the thesis found, is decisive in building consensus for escalating to Chapter VII measures, particularly among cautious or recalcitrant states. This means that the threshold for resorting to enforcement measures—the step most proximate to the authorization of enforcement action—is neither the actual killing of civilians nor the awareness that the violence amounts or may amount to international crimes. Rather, it is when Security Council members collectively agree that diplomacy has failed and that intervention is necessary and politically viable. In practice, this consensus emerges after a request for or endorsement of intervention from a regional organization to halt atrocity crimes perpetrated by one of its member states.

⁹⁰ Oona A. Hathaway and Stewart Patrick, “Is the Prohibition on the Use of Force Collapsing?” Carnegie Endowment for International Peace, August 26, 2025, <https://carnegieendowment.org/research/2025/08/is-the-prohibition-on-the-use-of-force-collapsing?lang=en>.

This finding suggests that working around—or rather, within—today’s geopolitical reality will require, in the words of Oona Hathaway and Stewart Patrick (2024), “widening the aperture.”⁹¹As they note, there are a “plethora of (sub)regional, multilateral, and minilateral arrangements that national governments have established outside of the UN to advance cooperation, including on matters of international peace and security.”⁹² With respect to civilian protection, the UN–AU collaboration on hybrid peacekeeping operations have been some of the most successful examples of such partnerships.

However, the Security Council engagement with regional organizations has been historically inconsistent. The UN Charter is ambivalent about how the Council should balance its role with that of regional organizations in maintaining international peace and security: it grants regional bodies an explicit role under Chapter VII, while enshrining the Council’s “superior enforcement role” in Chapter VII.⁹³ In practice, the Council has taken an “à-la-carte”⁹⁴ approach to regional organizations, sometimes proactively collaborating with them, other times deferring to them (especially in the absence of international political will), and occasionally asserting its primary role, depending on the situation and the political dynamics among its members.⁹⁵ This ad hoc approach has contributed to the Council’s selective engagement with global crises, which remains heavily weighted toward African issues (reflecting its developed relationship with the AU), followed by situations in the Middle East, with the Asia-Pacific and Latin American

⁹¹ Oona A. Hathaway and Stewart Patrick, “Can the UN Security Council Still Help Keep the Peace?” *Carnegie Endowment for International Peace*, July 2, 2024, <https://carnegieendowment.org/posts/2024/07/can-un-security-council-still-help-keep-the-peace?lang=en>.

⁹² Ibid.

⁹³ Security Council Report, “The UN Security Council and Regional Organisations: A Brief Exploration of Chapter VIII,” October 2023, <https://www.securitycouncilreport.org/monthly-forecast/2023-10/the-un-security-council-and-regional-organisations-a-brief-exploration-of-chapter-viii.php>.

⁹⁴ Ibid.

⁹⁵ Ibid.

regions comparatively underrepresented.⁹⁶ It has also enabled states to strategically leverage the Charter’s ambiguity to block action, arguing that the Council should not address situations where a regional organization is engaged (such as in Tigray), or that regional actors should lead (as in the case of Myanmar).⁹⁷

Policy Implications and Future Research

Standardizing the Security Council’s engagement with regional organizations could enable them to better support its peace and security mandate, while limiting the ability of obstructive states to shirk the Council’s primary responsibility. Ideally, the Council should forge closer partnerships with regional organizations to coordinate on crisis prevention and response—an explicit recommendation in the UN Secretary General’s 2023 policy brief, *The New Agenda for Peace*.⁹⁸ A first step would be establishing recurring meetings on peace and security for all regions and continents as standalone agenda items. At present, “Peace and Security in Africa” is the only de facto standing item explicitly focused on regional peace and security. “The Situation in the Middle East” is also a recurring thematic item, under which peace and security issues in specific countries are discussed, though the framing allows the Council to address other matters. In contrast, the Council typically convenes ad hoc, country-specific meetings on crises elsewhere, which limits its ability to prevent and mitigate emerging conflicts before they escalate to require international involvement.

The Security Council could also convene regular joint consultative meetings with the relevant organs of regional organizations mandated to promote peace and security. Currently, it

⁹⁶ Ibid.

⁹⁷ Ibid.

⁹⁸ United Nations, Our Common Agenda Policy Brief 9: A New Agenda for Peace, June 2025, 12, https://www.un.org/climatecuritymechanism/sites/default/files/2025-06/our-common-agenda-policy-brief-new-agenda-for-peace-en_0.pdf.

only holds annual joint consultative meetings with the AU Peace and Security Council (AU PSC), the first international body with which the Council forged regular interactions.⁹⁹ These meetings aim to sustain and strengthen UN–AU cooperation, coordinate strategic priorities, and facilitate joint deliberation on ongoing and emerging threats, typically culminating in a joint communiqué.¹⁰⁰ While the Council has engaged other regional bodies—including ASEAN, the League of Arab States, the Organisation for Islamic Cooperation, and the European Union—on an ad hoc basis, such interactions could be both systematized into regular consultations, and expanded to include a wider range of organizations and regions.¹⁰¹

Finally, for the express purpose of atrocity prevention, the UN—through the Secretariat and in coordination with member states—could establish joint early warning systems between regional organizations and the Office on Genocide Prevention and the Responsibility to Protect (OSAPG). The AU’s Continental Early Warning System (CEWS), a pillar of the organization’s security architecture mandated to anticipate and prevent conflicts across the continent, offers a useful blueprint.¹⁰² CEWS gathers information from multiple sources (including news reports, open-source intelligence, AU liaison offices, and field monitors), analyzes risks and trends, and provides regular horizon scanning briefings the AU PSC, with the aim of anticipating and preventing violent conflict.

⁹⁹ Security Council Report, “Cooperation between the UN and Regional and Sub-Regional Organisations: Annual Joint Consultative Meeting with the AU Peace and Security Council,” October 4, 2023, <https://www.securitycouncilreport.org/whatsinblue/2023/10/cooperation-between-the-un-and-regional-and-sub-regional-organisations-annual-joint-consultative-meeting-with-the-au-peace-and-security-council.php>.

¹⁰⁰ Ibid.

¹⁰¹ Security Council Report, “Insights on Interaction with Regional and other International Organisations,” July 23, 2025, <https://www.securitycouncilreport.org/whatsinblue/insights-on-interaction-with-regional-and-other-international-organisations>.

¹⁰² African Union, “The Continental Early Warning System (CEWS),” Peace and Security Department, last updated May 15, 2018, <https://www.peaceau.org/en/article/the-continental-early-warning-system>.

Building on this model, the OSAPG could establish joint early warning hubs with relevant organs of regional organizations, supported by relevant data-sharing protocols and secure digital platforms. Using standardized frameworks, these hubs would conduct joint assessments on the risk of atrocity crimes before channeling information and analysis into relevant UN bodies, including the Security Council, the Department of Political and Peacebuilding Affairs (DPPA), and the Department of Peace Operations (DPO). Such partnerships could address the severe capacity constraints of the OSAPG, which lacks the staff, funding, expertise, and technology to fulfill its early warning mandate, while helping to reduce political sensitivities surrounding risk assessments.¹⁰³ For this information and analysis to reach the Council, however, members would need to invite the OSAPG to provide regular briefings—a practice it currently avoids. (Over the past decade, the Special Advisors on Genocide Prevention and R2P been almost entirely excluded from providing even ad hoc advisory input.¹⁰⁴)

The proposals above simply aim to sketch high-level recommendations for fostering cooperation between the Security Council and regional organizations in maintaining international peace and security. Inevitably, even sophisticated policy proposals would face major implementation hurdles, from P5 dynamics to the structural constraints and politics of regional organizations and the time, resources, and political will required for institutional capacity building. Yet, as great power politics force potentially irreversible shifts in the post-war international order, the moment to reimagine the global collective security system—including through strengthening regional collective security structures—has arrived.

¹⁰³ Security Council Report, “In Hindsight: The Security Council and Regional Arrangements,” September 2024 Monthly Forecast, posted 30 August 2024, <https://www.securitycouncilreport.org/monthly-forecast/2024-09/in-hindsight-the-security-council-and-regional-arrangements.php>.

¹⁰⁴ Douglas Irvin-Erickson and Ernesto Verdeja, *An Assessment of the UN Office on Genocide Prevention and the Responsibility to Protect*, Stimson Center, December 3, 2024, <https://www.stimson.org/2024/an-assessment-of-the-un-office-on-genocide-prevention-and-the-responsibility-to-protect/>.

Understanding the conditions under which regional organizations successfully prevent and mitigate security crises in their member states is a crucial step for future research. So, too, is mapping the strategic and operational synergies that can enable more effective UN and regional collaboration on conflict and atrocity prevention. The UN, with its global membership and unique power to authorize non-defensive uses of force, is undoubtedly irreplicable.¹⁰⁵ Yet consensus is emerging that the “golden age” of multilateralism and U.S. hegemony are waning irreversibly, and the prospect of structurally reforming the Security Council is as remote now as it ever was.¹⁰⁶ In this context, pursuing collaborative partnerships that elevate the role of middle and small powers in collective security may be one of the view viable paths forward—and for the millions worldwide enduring violent conflict and repression, there is no time to lose.

¹⁰⁵ For a discussion, see: Hathaway and Patrick, “Can the Security Council Still Keep the Peace?”

¹⁰⁶ *Ibid.*

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Appendix

Table A1. Atrocity Risk Situations, January 1, 2006–December 31, 2024

Year	Country ¹⁰⁷	Civilian Fatality Estimate ¹⁰⁸	On UNSC Agenda?	Resolution Adopted?	Authorized Measures Under Chapter VII?	Extension, renewal, augmentation, or consensual?
2006	Afghanistan	196	Yes	Yes	No	–
2006	Burundi	110	Yes	Yes	No	–
2006	Central African Republic	133	Yes	Yes	No	–
2006	Chad, Sudan	1151	Yes	Yes	No	–
2006	Colombia	231	No	–	–	–
2006	Colombia, Ecuador	195	No	–	–	–
2006	DR Congo	153	Yes	Yes	Yes	Yes
2006	India	596	No	–	–	–
2006	Iraq	650	Yes	Yes	No	–
2006	Myanmar (Burma)	192	Yes	No	–	–
2006	Nepal	109	No	–	–	–
2006	Sri Lanka	106	No	–	–	–
2006	Sudan	72 ¹⁰⁹	Yes	Yes	Yes	No
2006	Thailand	329	No	–	–	–
2007	Afghanistan	113	Yes	Yes	Yes	Yes
2007	Central African Republic, Chad, Sudan	303	Yes	Yes	Yes	Yes
2007	Colombia	119	No	–	–	–
2007	Colombia, Ecuador	186	No	–	–	–
2007	DR Congo	171	Yes	Yes	Yes	Yes
2007	Ethiopia, Somalia	162	Yes	Yes	No	–
2007	India	463	No	–	–	–
2007	Iraq	2124	Yes	Yes	Yes	Yes
2007	Kenya	134	No	–	–	–

¹⁰⁷ Civilian fatalities attributed to the Islamic State that were aggregated across multiple states in different regions were excluded from this table (but included in Table A2 for reference), given that the Security Council only considers country-specific situations or regionally bounded groups of countries on its agenda.

¹⁰⁸ I use the UCDP v25.1 “Best Fatality Estimate.” See: Uppsala Conflict Data Program, *UCDP Non-State Conflict Dataset v25.1*, Uppsala University, 2025, <https://ucdp.uu.se/downloads/index.html#nonstate>.

¹⁰⁹ This case is included in the dataset despite falling below the 100 civilian fatality threshold given that a UN intervention occurred this year, and, as discussed in Chapter 1, that UCDP does not always accurately capture civilian casualties due to methodological limitations.

2007	Myanmar	292	Yes	No (Veto, PRST)	No	-
2007	Sudan, Uganda	160	Yes	Yes	Yes	Yes
2007	Thailand	320	No	-	-	-
2008	Afghanistan	108	Yes	Yes	Yes	Yes
2008	Central African Republic, DR Congo, Sudan	734	Yes	Yes	Yes	Yes
2008	Colombia	208	No	-	-	-
2008	Colombia, Ecuador	183	No	-	-	-
2008	DR Congo	183	Yes	Yes	Yes	Yes
2008	India	612	No	No	-	-
2008	Iraq	526	Yes	Yes	Yes	Yes
2008	Kenya	300	Yes	No (PRST)	-	-
2008	Nigeria	146	No	-	-	-
2008	Pakistan	297	Yes	No (PRST)	-	-
2008	Sri Lanka	185	No	-	-	-
2008	Sudan	246	Yes	Yes	Yes	Yes
2008	Thailand	180	No	-	-	-
2008	Zimbabwe (Rhodesia)	253	Yes	Veto (PRST)	-	-
2009	Afghanistan	154	Yes	Yes	No	-
2009	Central African Republic, DR Congo, Sudan	1394	Yes	Yes	Yes	Yes
2009	DR Congo	2052	Yes	Yes	Yes	Yes
2009	DR Congo, Rwanda	203	"	"	"	"
2009	Guinea	160	Yes	Yes	No	-
2009	India	342	No	-	-	-
2009	Iraq	671	Yes	Yes	Yes	Yes
2009	Pakistan	225	No	-	-	-
2009	Sri Lanka	248	No	-	-	-
2009	Thailand	120	No	-	-	-
2010	Afghanistan	185	Yes	Yes	Yes	Yes
2010	Central African Republic, DR Congo, Sudan	464	Yes	Yes	Yes	Yes
2010	DR Congo (Zaire)	421	Yes	Yes	Yes	Yes
2010	India	524	No	-	-	-
2010	Iraq	738	Yes	Yes	No	-
2010	Pakistan	746	No	-	-	-
2010	Thailand	138	No	-	-	-
2011	Afghanistan, Pakistan	121	Yes	Yes	Yes	Yes
2011	Central African Republic, DR Congo, Sudan	211	Yes	Yes	Yes	Yes
2011	Guatemala, Mexico	403	No	-	-	-
2011	India	215	No	-	-	-
2011	Iraq	322	Yes	Yes	Yes	Yes
2011	Côte d'Ivoire	1099	No	Yes	Yes	No
2011	Lebanon, Syria	3114	Yes	No	-	-
2011	Libya	152	Yes	Yes	Yes	No
2011	Nigeria	118	No	-	-	-
2011	Pakistan	198	No	-	-	-
2011	Sudan	155	Yes	Yes	Yes	Yes

2011	Thailand	115	No	–	–	–
2011	Yemen (North Yemen)	178	Yes	Yes	–	–
2012	DR Congo	684	Yes	Yes	Yes	Yes
2012	India	209	No	–	–	–
2012	Iraq	769	Yes	Yes	Yes	Yes
2012	Kenya, Somalia ¹¹⁰	112	Yes	Yes	Yes	Yes
2012	Lebanon, Syria ¹¹¹	2954	Yes	No	–	–
2012	Myanmar (Burma)	105	No	–	–	–
2012	Nigeria	667	No	–	–	–
2012	Pakistan	237	No	–	–	–
2012	Syria	142	Yes	No	–	–
2012	Thailand	113	No	–	–	–
2013	Cameroon, Nigeria	839	No	–	–	–
2013	Central African Republic	2658	Yes	No	–	–
2013	DR Congo (Zaire)	497	Yes	Yes	Yes	No
2013	India	121	No	–	–	–
2013	Iraq, Syria	2253	Yes	Yes	Yes	Yes
2013	Kenya, Somalia	185	Yes	No (Veto)	–	–
2013	Mali	23 ¹¹²	Yes	Yes	Yes	No
2013	Pakistan	807	No	–	–	–
2013	South Sudan	683	Yes	Yes	Yes	Yes
2013	Syria	3122	Yes	Yes	No	–
2014	Afghanistan	240	Yes	Yes	No	–
2014	Cameroon, Chad, Nigeria	5134	Yes	No	No	–
2014	Central African Republic	2268	Yes	Yes	Yes	No
2014	DR Congo	382	Yes	Yes	Yes	Yes
2014	Djibouti, Kenya, Somalia ¹¹³	261	No	–	–	–
2014	India	211	No	–	–	–
2014	Iraq, Syria	4598	Yes	No (PRST)	–	–
2014	Pakistan	295	No	–	–	–
2014	South Sudan	787	Yes	Yes	Yes	Yes
2014	Syria	812	Yes	Yes (and Veto)	No	–
2015	Afghanistan	161	Yes	Yes	No	–
2015	Cameroon, Chad, Niger, Nigeria	1282	No	–	–	–
2015	Central African Republic	395	Yes	Yes	Yes	Yes
2015	DR Congo	433	Yes	Yes	Yes	Yes

¹¹⁰ The Security Council adopted a resolution on Somalia.

¹¹¹ The Security Council considered the situation in Syria.

¹¹² This case is included in the table despite falling below the 100 civilian death threshold in UCDP's dataset, given that a UN authorization occurred this year and that, as discussed in the introduction, the methodological limitations of UCDP do not always accurately capture the scale of civilian deaths in conflict situations.

¹¹³ The Security Council considered the situation in Somalia.

2015	Ethiopia, Somalia	258	No	–	–	–
2015	Iraq	108	Yes	Yes	Yes	Yes
2015	Kenya, Somalia	212	No	–	–	–
2015	Pakistan	104	No	–	–	–
2015	South Sudan	349	Yes	Yes	Yes	No
2015	Sudan	371	Yes	Yes	Yes	Yes
2015	Syria	488	Yes	Yes	No	–
2016	Afghanistan, Pakistan	149	Yes	Yes	No	–
2016	Cameroon, Nigeria	208	No	–	–	–
2016	Central African Republic	448	Yes	Yes	Yes	Yes
2016	DR Congo	656	Yes	Yes	Yes	Yes
2016	Ethiopia	301	No	–	–	–
2016	Iraq	114	Yes	Yes	Yes	Yes
2016	Kenya, Somalia ¹¹⁴	109	Yes	Yes	Yes	Yes
2016	Pakistan	230	No	–	–	–
2016	South Sudan	235	Yes	Yes (and Veto)	Yes	No
2016	Sudan	448	Yes	Yes	Yes	Yes
2016	Syria	183	Yes	Yes (and Veto)	No	–
2017	Cameroon, Niger, Nigeria	909	No	–	–	–
2017	Central African Republic	667	Yes	Yes	Yes	Yes
2017	DR Congo	1442	Yes	Yes	Yes	Yes
2017	Ethiopia	173	No	–	–	–
2017	India	154	No	–	–	–
2017	Iraq	102	Yes	Yes	Yes	Yes
2017	Kenya, Somalia ¹¹⁵	124	Yes	Yes	Yes	Yes
2017	Myanmar	1864	Yes	No (PRST)	–	–
2017	Pakistan	144	No	–	–	–
2017	South Sudan	230	Yes	Yes	Yes	Yes
2017	Syria	156	Yes	Yes (and Veto)	No	–
2018	Afghanistan	122	Yes	Yes	No	–
2018	Cameroon	101	No	–	–	–
2018	Cameroon, Chad, Niger, Nigeria	519	“	“	“	“
2018	Central African Republic	211	Yes	Yes	Yes	Yes
2018	DR Congo	199	Yes	Yes	Yes	Yes
2018	Ethiopia, Somalia	189	No	–	–	–
2018	India	103	No	–	–	–
2018	Kenya, Somalia ¹¹⁶	137	Yes	Yes	Yes	Yes
2018	Mali	315	Yes	Yes	Yes	Yes
2018	Mozambique	119	No	–	–	–

¹¹⁴ The Security Council considered the situation in Somalia.

¹¹⁵ The Security Council considered the situation in Somalia.

¹¹⁶ The Security Council considered the situation in Somalia.

2018	South Sudan	193	Yes	Yes	Yes	Yes
2019	Afghanistan	196	Yes	Yes	Yes	Yes
2019	Burkina Faso	470	Yes	No	–	–
2019	Burkina Faso, Mali	428	Yes	No	–	–
2019	Cameroon, Chad, Nigeria	318	No	–	–	–
2019	Central African Republic	117	Yes	Yes	Yes	Yes
2019	DR Congo	441	Yes	Yes	Yes	Yes
2019	Ethiopia	141	No	–	–	–
2019	India	111	No	–	–	–
2019	Iran	252	No	–	–	–
2019	Iraq	104	Yes	Yes	No	–
2019	Kenya, Somalia	117	Yes	Yes	Yes	Yes
2019	Mali	296	Yes	Yes	Yes	Yes
2019	Mozambique	167	No	–	–	–
2019	South Sudan	118	Yes	Yes	Yes	Yes
2019	Sudan	218	Yes	No	–	–
2020	Afghanistan	174	Yes	Yes	No	–
2020	Burkina Faso	218	Yes	No	–	–
2020	Burkina Faso, Mali	140	Yes	No	–	–
2020	Cameroon	221	Yes	No	–	–
2020	Cameroon, Chad, Niger, Nigeria	328	Yes	No	–	–
2020	DR Congo	1006	Yes	Yes	Yes	Yes
2020	Ethiopia	2425	No	–	–	–
2020	Ethiopia, Sudan	512	“	“	“	“
2020	Haiti	162	Yes	Yes	No	–
2020	Mali	380	Yes	Yes	Yes	Yes
2020	Mali, Niger	141	“	“	“	“
2020	Mozambique	110	No	–	–	–
2021	Afghanistan	243	Yes	Yes	No	–
2021	Burkina Faso, Mali	299	No	–	–	–
2021	Cameroon, Niger, Nigeria	102	No	–	–	–
2021	Central African Republic	174	Yes	Yes	Yes	Yes
2021	Colombia	117	Yes	Yes	No	–
2021	DR Congo	781	Yes	Yes	Yes	Yes
2021	Ethiopia	2017	Yes	No (PRST)	–	–
2021	Ethiopia, Sudan	1294	“	–	–	–
2021	Ethiopia, Yemen (North Yemen)	1513	“	–	–	–
2021	Myanmar (Burma)	707	Yes	No	–	–
2021	Nigeria	102	No	–	–	–
2022	Afghanistan	189	Yes	Yes	No	–
2022	Brazil	119	No	–	–	–
2022	Burkina Faso	196	No	–	–	–
2022	Burkina Faso, Mali, Niger, Togo	510	“	–	–	–
2022	Cameroon, Niger, Nigeria	178	No	–	–	–

2022	Cameroon, Nigeria	130	“			–
2022	Colombia	114	Yes	Yes	No	–
2022	DR Congo	1780	Yes	Yes	Yes	Yes
2022	Ethiopia	1784	No	–		–
2022	Haiti ¹¹⁷	104	Yes	Yes	Yes	No
2022	Iran	211	No	–		–
2022	Mali	275	Yes	Yes	No	–
2022	Myanmar	702	Yes	Yes	No	–
2022	Ukraine	1130	Yes	No		–
2023	Benin, Burkina Faso, Mali, Niger, Togo	1064	No	–		–
2023	Brazil	147	No	–		–
2023	Burkina Faso	355	No	–		–
2023	Cameroon, Chad, Niger, Nigeria	166	No	–		–
2023	Cameroon, Nigeria	105	“			–
2023	Colombia	113	Yes	Yes	No	–
2023	Colombia, Venezuela	179	“			–
2023	DR Congo	1503	Yes	Yes	Yes	Yes
2023	Ethiopia	469	No	–		–
2023	Georgia, Ukraine	314	Yes	No	–	–
2023	Haiti	340	Yes	Yes	Yes	No
2023	Israel	712	Yes	Yes	No	–
2023	Mali	204	Yes	Yes (also Veto)	No	–
2023	Myanmar (Burma)	596	Yes	No (Communiqué)	–	–
2023	Sudan	1784	Yes	Yes	Yes	Yes
2024	Benin, Burkina Faso, Mali, Niger, Togo	1396	No	–	–	–
2024	Burkina Faso	795	“			–
2024	Cameroon, Chad, Niger, Nigeria	223	No	–	–	–
2024	Central African Republic, Mali, Ukraine ¹¹⁸	151	Yes	No	–	–
2024	Colombia	182	Yes	Yes	No	–
2024	DR Congo	1216	Yes	Yes	Yes	Yes
2024	Ethiopia	1027	No	–	–	–
2024	Haiti	905	Yes	Yes	Yes	Yes
2024	Mali	358	No	–	–	–
2024	Mozambique	230	No	–	–	–
2024	Myanmar	527	Yes	No (Communiqué)	–	–
2024	Sudan	2316	Yes	Yes (and Veto)	Yes	Yes

¹¹⁷ Haiti represents a “grey zone” case, as the Security Council did not explicitly mention the risk of widespread human rights or international humanitarian law violations as a justification for authorizing the Multinational Security Support (MSS) force, but rather focused on restoring law and order amid criminal gang activities.

¹¹⁸ For practical purposes, I treat this as a country-year entry on Ukraine.

Table A2. Civilian Fatalities in Atrocity Risk Situations by Actor Type, January 1, 2006–December 31, 2024¹¹⁹

Year	Country	Civilian Fatality Estimate	Actor Name	State/Non-State Actor
2006	Afghanistan	196	Taleban	Non-State
2006	Algeria	37	al-Qaida Organization in the Islamic Maghreb	Non-State
2006	Burundi	36	Party for the Liberation of the Hutu People-Forces for National Liberation	Non-State
2006	Burundi	74	Government of Burundi	State
2006	Central African Republic	133	Government of Central African Republic	State
2006	Chad, Sudan	899	Janjaweed	Non-State
2006	Chad, Sudan	252	Government of Sudan	State
2006	Colombia	117	Revolutionary Armed Forces of Colombia	Non-State
2006	Colombia	81	United Self-Defence forces of Colombia	Non-State
2006	Colombia	33	Bloque Central Bolívar	Non-State
2006	Colombia, Ecuador	195	Government of Colombia	State
2006	DR Congo (Zaire)	153	Government of Democratic Republic of the Congo (Zaire)	State
2006	DR Congo (Zaire), Sudan, Uganda	47	Lord's Resistance Army	Non-State
2006	DR Congo (Zaire), Uganda	36	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2006	Ethiopia, Sudan	26	Government of Ethiopia	State
2006	India	205	Indian Mujahideen	Non-State
2006	India	165	Communist Party of India-Maoist	Non-State
2006	India	190	Kashmir insurgents	Non-State
2006	India	36	United Liberation Front of Assam	Non-State
2006	Iraq	69	Soldiers of the Prophet's Companions	Non-State
2006	Iraq	54	al-Mahdi Army	Non-State
2006	Iraq	84	Government of Iraq	State
2006	Iraq	443	Islamic State	Non-State
2006	Laos	73	Government of Laos	State
2006	Myanmar (Burma)	192	Government of Myanmar (Burma)	State
2006	Nepal	47	Government of Nepal	State

¹¹⁹ See: Uppsala Conflict Data Program, *UCDP Non-State Conflict Dataset v25.1*.

2006	Nepal	62	Communist Party of Nepal-Maoist	Non-State
2006	Sri Lanka	28	Government of Sri Lanka	State
2006	Sri Lanka	78	Liberation Tigers of Tamil Eelam	Non-State
2006	Sudan	72	Sudan Liberation Movement/Army - Minni Minawi faction	Non-State
2006	Thailand	329	Patani insurgents	Non-State
2007	Afghanistan	113	Taleban	Non-State
2007	Algeria, Mauritania	27	al-Qaida Organization in the Islamic Maghreb	Non-State
2007	Central African Republic	36	Government of Central African Republic	State
2007	Central African Republic, Chad, Sudan	303	Janjaweed	Non-State
2007	Colombia	39	Revolutionary Armed Forces of Colombia	Non-State
2007	Colombia	80	United Self-Defence forces of Colombia	Non-State
2007	Colombia, Ecuador	186	Government of Colombia	State
2007	DR Congo (Zaire)	46	National Congress for the Defence of the People	Non-State
2007	DR Congo (Zaire)	33	Rastas	Non-State
2007	DR Congo (Zaire)	92	Government of Democratic Republic of the Congo (Zaire)	State
2007	DR Congo (Zaire), Tanzania	37	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2007	Ethiopia	82	Ogaden National Liberation Front	Non-State
2007	Ethiopia, Somalia	162	Government of Ethiopia	State
2007	Guinea	45	Government of Guinea	State
2007	India	68	Army of the Pure	Non-State
2007	India	44	Islamic Jihad Movement	Non-State
2007	India	133	Communist Party of India-Maoist	Non-State
2007	India	38	Kashmir insurgents	Non-State
2007	India	180	United Liberation Front of Assam	Non-State
2007	Iraq	70	al-Mahdi Army	Non-State
2007	Iraq	63	Government of Iraq	State
2007	Iraq	1991	Islamic State	Non-State
2007	Kenya	53	Sabaot Land Defence Force	Non-State
2007	Kenya	40	Mungiki	Non-State
2007	Kenya	41	Government of Kenya	State
2007	Myanmar (Burma)	292	Government of Myanmar (Burma)	State
2007	Pakistan	58	Taleban Movement of Pakistan	Non-State
2007	Philippines	31	Al-Khobar	Non-State

2007	Sri Lanka	46	Liberation Tigers of Tamil Eelam	Non-State
2007	Sudan	98	Government of Sudan	State
2007	Sudan, Uganda	62	Lord's Resistance Army	Non-State
2007	Thailand	320	Patani insurgents	Non-State
2008	Afghanistan	108	Taleban	Non-State
2008	Central African Republic, DR Congo (Zaire), Sudan	734	Lord's Resistance Army	Non-State
2008	China	51	Government of China	State
2008	Colombia	101	Revolutionary Armed Forces of Colombia	Non-State
2008	Colombia	55	Las Águilas Negras	Non-State
2008	Colombia	52	Dignidad por Arauca	Non-State
2008	Colombia, Ecuador	183	Government of Colombia	State
2008	DR Congo (Zaire)	111	National Congress for the Defence of the People	Non-State
2008	DR Congo (Zaire)	31	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2008	DR Congo (Zaire)	41	Coalition of Congolese Patriotic Resistance	Non-State
2008	DR Congo (Zaire), Uganda	49	Government of Democratic Republic of the Congo	State
2008	Ethiopia, Somalia	33	Government of Ethiopia	State
2008	Guyana	29	Buxton gang	Non-State
2008	India	35	Dima Halam Daogah - Black Widow faction	Non-State
2008	India	143	Indian Mujahideen	Non-State
2008	India	148	Army of the Pure	Non-State
2008	India	167	Communist Party of India-Maoist	Non-State
2008	India	39	Kashmir insurgents	Non-State
2008	India	80	National Democratic Front for Bodoland	Non-State
2008	Iraq	526	Islamic State	Non-State
2008	Kenya	51	Sabaot Land Defence Force	Non-State
2008	Kenya	29	Mungiki	Non-State
2008	Kenya	220	Government of Kenya	State
2008	Myanmar	54	Government of Myanmar	State
2008	Nigeria	146	Government of Nigeria	State
2008	Pakistan	54	Partisans of Islam	Non-State
2008	Pakistan	243	Taleban Movement of Pakistan	Non-State
2008	Philippines	39	Moro Islamic Liberation Front	Non-State
2008	Somalia	43	Al-Shabaab	Non-State
2008	Sri Lanka	185	Liberation Tigers of Tamil Eelam	Non-State
2008	Sudan	60	Janjaweed	Non-State
2008	Sudan	186	Government of Sudan	State
2008	Thailand	180	Patani insurgents	Non-State
2008	Venezuela	27	Government of Venezuela	State

2008	Zimbabwe (Rhodesia)	253	Government of Rhodesia	State
2009	Afghanistan	154	Taleban	Non-State
2009	Algeria, Mali, Mauritania	38	al-Qaida Organization in the Islamic Maghreb	Non-State
2009	Central African Republic, DR Congo (Zaire), Sudan	1394	Lord's Resistance Army	Non-State
2009	Colombia	39	Las Águilas Negras	Non-State
2009	Colombia, Panama	56	Revolutionary Armed Forces of Colombia	Non-State
2009	DR Congo (Zaire)	906	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2009	DR Congo (Zaire)	251	Movement of Liberation and Allies	Non-State
2009	DR Congo (Zaire)	895	Government of Democratic Republic of the Congo (Zaire)	State
2009	DR Congo (Zaire), Rwanda	203	Government of Rwanda	State
2009	Guinea	160	Government of Guinea	State
2009	India	243	Communist Party of India-Maoist	Non-State
2009	India	30	Kashmir insurgents	Non-State
2009	India	36	United Liberation Front of Assam	Non-State
2009	India	33	National Democratic Front for Bodoland	Non-State
2009	Iran	50	Government of Iran	State
2009	Iran	25	Army of God	Non-State
2009	Iraq	35	The League of the Righteous	Non-State
2009	Iraq	636	Islamic State	Non-State
2009	Kenya	37	Mungiki	Non-State
2009	Madagascar (Malagasy)	31	Government of Madagascar	State
2009	Pakistan	225	Taleban Movement of Pakistan	Non-State
2009	Philippines	58	Ampatuan militia	Non-State
2009	Sri Lanka	248	Liberation Tigers of Tamil Eelam	Non-State
2009	Thailand	120	Patani insurgents	Non-State
2009	Venezuela	27	Government of Venezuela	State
2010	Afghanistan	185	Taleban	Non-State
2010	Central African Republic, DR Congo (Zaire), Sudan	464	Lord's Resistance Army	Non-State
2010	DR Congo (Zaire)	38	Alliance of Democratic Forces	Non-State
2010	DR Congo (Zaire)	69	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2010	DR Congo (Zaire)	27	Mayi Mayi Complet	Non-State

2010	DR Congo (Zaire)	287	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces, Forces of Lieutenant Colonel Emmanuel Nsengiyumva, Ndumba Defense of Congo	Non-State
2010	India	32	National Democratic Front for Bodoland - Ranjan Daimary faction	Non-State
2010	India	146	People's Committee against Police Atrocities	Non-State
2010	India	321	Communist Party of India-Maoist	Non-State
2010	India	25	Kashmir insurgents	Non-State
2010	Iraq	738	Islamic State	Non-State
2010	Ivory Coast	44	Government of Ivory Coast	State
2010	Mexico	84	The Zetas	Non-State
2010	Myanmar (Burma)	25	Government of Myanmar (Burma)	State
2010	Nigeria	92	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2010	Pakistan	166	Army of Jhangvi	Non-State
2010	Pakistan	31	Balochistan Liberation Army	Non-State
2010	Pakistan	549	Taleban Movement of Pakistan	Non-State
2010	Philippines	25	Abu Sayyaf Group	Non-State
2010	Russia (Soviet Union)	58	Forces of the Caucasus Emirate	Non-State
2010	Somalia, Uganda	89	Al-Shabaab	Non-State
2010	Sudan	41	Janjaweed	Non-State
2010	Thailand	138	Patani insurgents	Non-State
2011	Afghanistan	76	Taleban	Non-State
2011	Afghanistan, Pakistan	121	Army of Jhangvi	Non-State
2011	Algeria, Mali, Morocco	27	al-Qaida Organization in the Islamic Maghreb	Non-State
2011	Bahrain	26	Government of Bahrain	State
2011	Central African Republic, DR Congo (Zaire), Sudan	211	Lord's Resistance Army	Non-State
2011	Guatemala, Mexico	403	The Zetas	Non-State
2011	India	26	Indian Mujahideen	Non-State
2011	India	189	Communist Party of India-Maoist	Non-State
2011	Iraq	322	Islamic State	Non-State
2011	Ivory Coast	205	Republican Forces of Ivory Coast	Non-State
2011	Ivory Coast	315	Resistance Forces of the Great West	Non-State
2011	Ivory Coast	206	Alliance of Young Patriots for national revival	Non-State

2011	Ivory Coast	373	Government of Ivory Coast	State
2011	Kenya, Somalia	44	Al-Shabaab	Non-State
2011	Lebanon, Syria	3114	Government of Syria	State
2011	Libya	152	Government of Libya	State
2011	Myanmar (Burma)	89	Government of Myanmar (Burma)	State
2011	Nigeria	82	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2011	Nigeria	36	Government of Nigeria	State
2011	Pakistan	198	Taleban Movement of Pakistan	Non-State
2011	Russia (Soviet Union)	40	Forces of the Caucasus Emirate	Non-State
2011	Somalia	36	Government of Somalia	State
2011	Sudan	155	Government of Sudan	State
2011	Thailand	115	Patani insurgents	Non-State
2011	Yemen (North Yemen)	178	Government of North Yemen	State
2012	Afghanistan	83	Taleban	Non-State
2012	Central African Republic	36	Government of Central African Republic	State
2012	Central African Republic, DR Congo (Zaire), South Sudan	65	Lord's Resistance Army	Non-State
2012	DR Congo (Zaire)	187	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2012	DR Congo (Zaire)	31	Patriotic Force of Resistance in Ituri	Non-State
2012	DR Congo (Zaire)	34	Mayi Mayi Simba	Non-State
2012	DR Congo (Zaire)	52	Raia Mutomboki	Non-State
2012	DR Congo (Zaire)	27	Nyatura	Non-State
2012	DR Congo (Zaire)	241	Mayi Mayi Kifuafua, Raia Mutomboki	Non-State
2012	DR Congo (Zaire)	112	Government of Democratic Republic of the Congo (Zaire)	State
2012	Ethiopia	88	Government of Ethiopia	State
2012	India	105	People's Liberation Front of India	Non-State
2012	India	104	Communist Party of India-Maoist	Non-State
2012	Iraq	769	Islamic State	Non-State
2012	Kenya, Somalia	112	Al-Shabaab	Non-State
2012	Lebanon, Syria	2954	Government of Syria	State
2012	Mexico	35	Sinaloa Cartel	Non-State
2012	Myanmar (Burma)	105	Government of Myanmar (Burma)	State
2012	Nigeria	455	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State

2012	Nigeria	212	Government of Nigeria	State
2012	Pakistan	29	Army of Islam	Non-State
2012	Pakistan	42	Taleban Movement of Pakistan - Islahi faction	Non-State
2012	Pakistan	166	Taleban Movement of Pakistan	Non-State
2012	Somalia	29	Government of Somalia	State
2012	South Sudan	65	Government of South Sudan	State
2012	South Sudan, Sudan	53	Government of Sudan	State
2012	Syria	142	Syrian insurgents	Non-State
2012	Thailand	113	Patani insurgents	Non-State
2013	Afghanistan	64	Taleban	Non-State
2013	Algeria	26	Signed-in-Blood Battalion	Non-State
2013	Cameroon, Nigeria	839	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2013	Central African Republic	765	anti-Balaka	Non-State
2013	Central African Republic	474	Popular Front for the Rebirth of the Central African Republic	Non-State
2013	Central African Republic	44	Union	Non-State
2013	Central African Republic	1375	Government of Central African Republic	State
2013	Central African Republic, DR Congo (Zaire), South Sudan	48	Lord's Resistance Army	Non-State
2013	DR Congo (Zaire)	83	Alliance of Democratic Forces	Non-State
2013	DR Congo (Zaire)	173	Kata Katanga	Non-State
2013	DR Congo (Zaire)	56	March 23 Movement	Non-State
2013	DR Congo (Zaire)	92	Ndumba Defense of Congo	Non-State
2013	DR Congo (Zaire)	43	Nyatara	Non-State
2013	DR Congo (Zaire)	50	Government of Democratic Republic of the Congo (Zaire)	State
2013	India	121	Communist Party of India-Maoist	Non-State
2013	Iraq, Syria	2253	Islamic State	Non-State
2013	Kenya, Somalia	185	Al-Shabaab	Non-State
2013	Lebanon	47	Arab Democratic Party	Non-State
2013	Mali	26	Government of Mali	State
2013	Myanmar (Burma)	27	Government of Myanmar (Burma)	State
2013	Pakistan	311	Army of Jhangvi	Non-State
2013	Pakistan	496	Taleban Movement of Pakistan	Non-State
2013	Russia (Soviet Union)	40	Forces of the Caucasus Emirate	Non-State
2013	South Sudan	580	Government of South Sudan	State

2013	South Sudan	103	Sudan People's Liberation Army/Movement in Opposition	Non-State
2013	South Sudan, Sudan	27	Government of Sudan	State
2013	Syria	2722	Government of Syria	State
2013	Syria	148	Syrian insurgents	Non-State
2013	Syria	45	Democratic Union Party	Non-State
2013	Syria	207	Islamic State, Syrian insurgents	Non-State
2013	Thailand	60	Patani insurgents	Non-State
2013	Turkey	52	People's Liberation Party-Front of Turkey-Cephesi - Acilciler	Non-State
2014	Afghanistan	240	Taleban	Non-State
2014	Cameroon, Chad, Nigeria	5134	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2014	Central African Republic	1293	anti-Balaka	Non-State
2014	Central African Republic	642	Popular Front for the Rebirth of the Central African Republic	Non-State
2014	Central African Republic	184	Union for Peace in the Central African Republic	Non-State
2014	Central African Republic	109	Popular Front for Reconstruction	Non-State
2014	Central African Republic	40	Government of Chad	State
2014	Central African Republic, DR Congo (Zaire)	37	Lord's Resistance Army	Non-State
2014	Djibouti, Kenya, Somalia	261	Al-Shabaab	Non-State
2014	DR Congo (Zaire)	227	Alliance of Democratic Forces	Non-State
2014	DR Congo (Zaire)	119	Alliance of Democratic Forces, Mayi Mayi Mayangose	Non-State
2014	DR Congo (Zaire)	36	Government of Democratic Republic of the Congo (Zaire)	State
2014	India	135	National Democratic Front of Bodoland-Songbijit	Non-State
2014	India	76	Communist Party of India-Maoist	Non-State
2014	Iraq, Syria	4598	Islamic State	Non-State
2014	Mexico	32	Government of Mexico	State
2014	Myanmar (Burma)	43	Government of Myanmar (Burma)	State
2014	Nigeria	41	Government of Nigeria	State
2014	Pakistan	43	Army of Jhangvi	Non-State
2014	Pakistan	35	Army of Islam	Non-State
2014	Pakistan	43	United Baloch Army	Non-State
2014	Pakistan	174	Taleban Movement of Pakistan	Non-State
2014	South Sudan	205	Government of South Sudan	State

2014	South Sudan	582	Sudan People's Liberation Army/Movement in Opposition	Non-State
2014	Sudan	94	Government of Sudan	State
2014	Syria	464	Government of Syria	State
2014	Syria	261	Syrian insurgents	Non-State
2014	Syria	87	Democratic Union Party	Non-State
2014	Thailand	32	Patani insurgents	Non-State
2014	Venezuela	44	Government of Venezuela	State
2015	Afghanistan	161	Taliban	Non-State
2015	Afghanistan, Bangladesh, Cameroon, Chad, Egypt, France, Iraq, Kuwait, Libya, Niger, Nigeria, Pakistan, Russia (Soviet Union), Saudi Arabia, Syria, Tunisia, Turkey, United States of America, Yemen (North Yemen)	6335	Islamic State	Non-State
2015	Burundi	80	Government of Burundi	State
2015	Cameroon	34	Government of Cameroon	State
2015	Cameroon, Chad, Niger, Nigeria	1282	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2015	Central African Republic	74	anti-Balaka	Non-State
2015	Central African Republic	160	Popular Front for the Rebirth of the Central African Republic	Non-State
2015	Central African Republic	122	Union for Peace in the Central African Republic	Non-State
2015	Central African Republic	39	Democratic Front for the People of Central Africa	Non-State
2015	Central African Republic, DR Congo (Zaire), South Sudan	32	Lord's Resistance Army	Non-State
2015	DR Congo (Zaire)	257	Alliance of Democratic Forces	Non-State
2015	DR Congo (Zaire)	59	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2015	DR Congo (Zaire)	70	Elements	Non-State
2015	DR Congo (Zaire)	47	Perci	Non-State
2015	Ethiopia, Somalia	258	Government of Ethiopia	State

2015	India	70	Communist Party of India-Maoist	Non-State
2015	Iraq	108	Government of Iraq	State
2015	Kenya, Somalia	212	Al-Shabaab	Non-State
2015	Myanmar (Burma)	30	Government of Myanmar (Burma)	State
2015	Nigeria	48	Government of Nigeria	State
2015	Pakistan	49	Army of Jhangvi	Non-State
2015	Pakistan	55	Taleban Movement of Pakistan	Non-State
2015	Philippines	34	Communist Party of the Philippines	Non-State
2015	South Sudan	349	Government of South Sudan	State
2015	Sudan	371	Government of Sudan	State
2015	Syria	264	Government of Syria	State
2015	Syria	155	Syrian insurgents	Non-State
2015	Syria	35	Democratic Union Party	Non-State
2015	Syria	34	Syrian Democratic Forces	Non-State
2015	Thailand	27	Patani insurgents	Non-State
2015	Venezuela	32	Government of Venezuela	State
2016	Afghanistan, Bangladesh, Belgium, Cameroon, Chad, Egypt, France, Germany, Iraq, Lebanon, Libya, Niger, Nigeria, Pakistan, Philippines, Russia (Soviet Union), Saudi Arabia, Syria, Turkey, Yemen (North Yemen)	4393	Islamic State	Non-State
2016	Afghanistan, Pakistan	149	Taleban	Non-State
2016	Burkina Faso, Ivory Coast, Mali	41	al-Qaida Organization in the Islamic Maghreb	Non-State
2016	Burundi	85	Government of Burundi	State
2016	Cameroon, Nigeria	208	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2016	Central African Republic	52	Popular Front for the Rebirth of the Central African Republic	Non-State
2016	Central African Republic	284	Union for Peace in the Central African Republic	Non-State
2016	Central African Republic	50	Return, Reclamation, Rehabilitation	Non-State
2016	Central African Republic	37	Patriotic Movement for the Central African Republic , Popular Front for the Rebirth	Non-State

			of the Central African Republic	
2016	Central African Republic	25	Anti-Balaka - Maxime Mokom	Non-State
2016	DR Congo (Zaire)	181	Alliance of Democratic Forces	Non-State
2016	DR Congo (Zaire)	28	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2016	DR Congo (Zaire)	76	Mayi Mayi Mazembe	Non-State
2016	DR Congo (Zaire)	26	Kamuina Nsapu	Non-State
2016	DR Congo (Zaire)	31	Alliance of Democratic Forces, Vuba militia	Non-State
2016	DR Congo (Zaire)	314	Government of Democratic Republic of the Congo (Zaire)	State
2016	Ethiopia	301	Government of Ethiopia	State
2016	India	90	Communist Party of India-Maoist	Non-State
2016	Iraq	114	Government of Iraq	State
2016	Kenya, Somalia	109	Al-Shabaab	Non-State
2016	Myanmar (Burma)	56	Government of Myanmar (Burma)	State
2016	Nigeria	71	Government of Nigeria	State
2016	Pakistan	230	Taleban Movement of Pakistan	Non-State
2016	Philippines	32	Government of Philippines	State
2016	Rwanda	27	Government of Rwanda	State
2016	South Sudan	194	Government of South Sudan	State
2016	South Sudan	41	Sudan People's Liberation Army/Movement in Opposition	Non-State
2016	Sudan	448	Government of Sudan	State
2016	Syria	135	Government of Syria	State
2016	Syria	48	Syrian insurgents	Non-State
2016	Venezuela	60	Government of Venezuela	State
2017	Afghanistan	96	Taleban	Non-State
2017	Afghanistan, Bangladesh, Burkina Faso, Chad, Egypt, Iraq, Libya, Mali, Niger, Nigeria, Pakistan, Philippines, Spain, Sweden, Syria, Turkey, United States of America	2797	Islamic State	Non-State
2017	Burkina Faso, Mali	33	Ansaroul Islam	Non-State
2017	Burundi, Tanzania	39	Government of Burundi	State
2017	Cameroon	50	Government of Cameroon	State

2017	Cameroon, Niger, Nigeria	909	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2017	Central African Republic	177	anti-Balaka	Non-State
2017	Central African Republic	278	Union for Peace in the Central African Republic	Non-State
2017	Central African Republic	55	Patriotic Movement for the Central African Republic	Non-State
2017	Central African Republic	88	Return, Reclamation, Rehabilitation	Non-State
2017	Central African Republic	69	Anti-Balaka - Maxime Mokom, Patriotic Movement for the Central African Republic , Patriotic Rally for Renewal in the CAR or Gathering for Reconciliation among Central Africans , Popular Front for the Rebirth of the Central African Republic	Non-State
2017	Central African Republic, DR Congo (Zaire)	26	Lord's Resistance Army	Non-State
2017	Colombia	36	Government of Colombia	State
2017	Colombia, Venezuela	77	Government of Venezuela	State
2017	DR Congo (Zaire)	34	Alliance of Democratic Forces	Non-State
2017	DR Congo (Zaire)	70	Mayi Mayi Mazembe	Non-State
2017	DR Congo (Zaire)	27	Mayi Mayi Mazembe, Reformed Nduma Defence of Congo	Non-State
2017	DR Congo (Zaire)	559	Kamuina Nsapu	Non-State
2017	DR Congo (Zaire)	339	Bana Mura	Non-State
2017	DR Congo (Zaire)	29	Coalition for movements of change	Non-State
2017	DR Congo (Zaire)	384	Government of Democratic Republic of the Congo (Zaire)	State
2017	Ethiopia	173	Government of Ethiopia	State
2017	India	129	Communist Party of India-Maoist	Non-State
2017	India	25	Kashmir insurgents	Non-State
2017	Iraq	102	Government of Iraq	State
2017	Kenya	43	Government of Kenya	State
2017	Kenya, Somalia	124	Al-Shabaab	Non-State
2017	Mali	25	Dozos (Mali)	Non-State
2017	Myanmar (Burma)	88	Arakan Rohingya Salvation Army	Non-State
2017	Myanmar (Burma)	1776	Government of Myanmar (Burma)	State
2017	Pakistan	102	Army of Jhangvi	Non-State

2017	Pakistan	42	Taleban Movement of Pakistan	Non-State
2017	South Sudan	230	Government of South Sudan	State
2017	Sudan	65	Government of Sudan	State
2017	Syria	131	Government of Syria	State
2017	Syria	25	Syrian insurgents	Non-State
2018	Afghanistan	122	Taleban	Non-State
2018	Afghanistan, Australia, Belgium, Burkina Faso, Cameroon, DR Congo (Zaire), Egypt, France, Iraq, Libya, Mali, Niger, Nigeria, Pakistan, Philippines, Russia (Soviet Union), Somalia, South Africa, Syria, Tajikistan	2040	Islamic State	Non-State
2018	Burkina Faso	73	Government of Burkina Faso	State
2018	Burkina Faso, Mali	59	Group for the Support of Islam and Muslims	Non-State
2018	Burundi	26	Resistance for the Rule of Law in Burundi	Non-State
2018	Burundi, Somalia	87	Government of Burundi	State
2018	Cameroon	101	Government of Cameroon	State
2018	Cameroon, Chad, Niger, Nigeria	519	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2018	Central African Republic	52	anti-Balaka	Non-State
2018	Central African Republic	37	Popular Front for the Rebirth of the Central African Republic	Non-State
2018	Central African Republic	44	Union for Peace in the Central African Republic	Non-State
2018	Central African Republic	48	National Movement for the Liberation of Central African Republic	Non-State
2018	Central African Republic	30	Patriotic Movement for the Central African Republic , Popular Front for the Rebirth of the Central African Republic, Self-Defense Mujahidin (CAR)	Non-State
2018	Colombia	32	Revolutionary Armed Forces of Colombia - Central General Staff	Non-State
2018	Colombia	26	Frente Oliver Sinisterra	Non-State

2018	Colombia, Venezuela	31	National Liberation Army	Non-State
2018	DR Congo (Zaire)	63	Kamuina Nsapu	Non-State
2018	DR Congo (Zaire)	136	Government of Democratic Republic of the Congo (Zaire)	State
2018	DR Congo (Zaire), Rwanda	26	Rwandan Movement for Democratic Change	Non-State
2018	Ethiopia, Somalia	189	Government of Ethiopia	State
2018	Haiti	71	Government of Haiti	State
2018	India	75	Communist Party of India-Maoist	Non-State
2018	India	28	Kashmir insurgents	Non-State
2018	Kenya, Somalia	107	Al-Shabaab	Non-State
2018	Kenya, Somalia	30	Government of Kenya	State
2018	Mali	105	Dozos (Mali)	Non-State
2018	Mali	157	Hunters who Trust in God	Non-State
2018	Mali	53	Government of Mali	State
2018	Mali, Niger	47	Groupe autodéfense touareg Imghad et alliés, Movement for the Salvation of Azawad	Non-State
2018	Mozambique	119	Followers of the Prophetic Tradition	Non-State
2018	Nigeria	35	Yan Sakai	Non-State
2018	Nigeria	54	Government of Nigeria	State
2018	Pakistan	31	Taliban Movement of Pakistan	Non-State
2018	South Sudan	166	Government of South Sudan	State
2018	South Sudan	27	Sudan People's Liberation Army/Movement in Opposition	Non-State
2018	Sudan	75	Government of Sudan	State
2018	Syria	54	Syrian insurgents	Non-State
2018	Thailand	25	Patani insurgents	Non-State
2018	Venezuela	87	Government of Venezuela	State
2019	Afghanistan	28	Government of Afghanistan	State
2019	Afghanistan	168	Taliban	Non-State
2019	Afghanistan, Benin, Burkina Faso, Cameroon, Chad, DR Congo (Zaire), Egypt, Iraq, Libya, Mali, Mozambique, Niger, Nigeria, Philippines, Sri Lanka, Syria, Tanzania, United Kingdom	1663	Islamic State	Non-State
2019	Brazil	26	First Command of the Capital	Non-State
2019	Burkina Faso	183	Government of Burkina Faso	State
2019	Burkina Faso	287	Koglweogo	Non-State

2019	Burkina Faso, Mali	428	Group for the Support of Islam and Muslims	Non-State
2019	Burundi	59	Government of Burundi	State
2019	Cameroon	69	Government of Cameroon	State
2019	Cameroon, Chad, Nigeria	318	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2019	Central African Republic	25	Union for Peace in the Central African Republic	Non-State
2019	Central African Republic	92	Return, Reclamation, Rehabilitation	Non-State
2019	Central African Republic, DR Congo (Zaire)	29	Lord's Resistance Army	Non-State
2019	DR Congo (Zaire)	75	Reformed Nduma Defence of Congo	Non-State
2019	DR Congo (Zaire)	170	Union of Revolutionaries for the Defense of the Congolese People	Non-State
2019	DR Congo (Zaire)	109	National Coalition of the People for the Sovereignty of the Congo	Non-State
2019	DR Congo (Zaire)	87	Government of Democratic Republic of the Congo (Zaire)	State
2019	Ethiopia	141	Government of Ethiopia	State
2019	India	77	Communist Party of India-Maoist	Non-State
2019	India	34	Kashmir insurgents	Non-State
2019	Iran	252	Government of Iran	State
2019	Iraq	104	Government of Iraq	State
2019	Kenya, Somalia	117	Al-Shabaab	Non-State
2019	Mali	110	Dozos (Mali)	Non-State
2019	Mali	186	Hunters who Trust in God	Non-State
2019	Mozambique	167	Followers of the Prophetic Tradition	Non-State
2019	Nigeria	26	Government of Nigeria	State
2019	Pakistan	26	Taleban Movement of Pakistan	Non-State
2019	South Sudan	84	Government of South Sudan	State
2019	South Sudan	34	Sudan People's Liberation Army/Movement in Opposition	Non-State
2019	Sudan	218	Government of Sudan	State
2019	Syria	66	Syrian insurgents	Non-State
2019	Venezuela	78	Government of Venezuela	State
2020	Afghanistan	174	Taleban	Non-State
2020	Afghanistan, Austria, Bangladesh, Burkina Faso, Cameroon, Chad, DR Congo (Zaire), Egypt, Iraq, Libya, Mali, Mozambique,	2481	Islamic State	Non-State

	Niger, Nigeria, Pakistan, Somalia, Syria			
2020	Burkina Faso	175	Government of Burkina Faso	State
2020	Burkina Faso	43	Koglweogo	Non-State
2020	Burkina Faso, Mali	140	Group for the Support of Islam and Muslims	Non-State
2020	Burundi	64	Government of Burundi	State
2020	Cameroon	88	Ambazonia insurgents	Non-State
2020	Cameroon	133	Government of Cameroon	State
2020	Cameroon, Chad, Niger, Nigeria	328	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2020	Colombia	38	Revolutionary Armed Forces of Colombia - Central General Staff	Non-State
2020	Colombia	53	Government of Colombia	State
2020	DR Congo (Zaire)	32	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2020	DR Congo (Zaire)	32	Mayi Mayi Mazembe	Non-State
2020	DR Congo (Zaire)	73	Reformed Nduma Defence of Congo	Non-State
2020	DR Congo (Zaire)	38	Coalition for movements of change	Non-State
2020	DR Congo (Zaire)	29	Twiganeho	Non-State
2020	DR Congo (Zaire)	468	Union of Revolutionaries for the Defense of the Congolese People	Non-State
2020	DR Congo (Zaire)	92	Patriotic and Integrationist Forces of the Congo Chambre noire sanduku.	Non-State
2020	DR Congo (Zaire)	39	Zaire self-defense group	Non-State
2020	DR Congo (Zaire)	37	Bon Temple de Dieu	Non-State
2020	DR Congo (Zaire)	58	National Coalition of the People for the Sovereignty of the Congo	Non-State
2020	DR Congo (Zaire)	108	Government of Democratic Republic of the Congo (Zaire)	State
2020	DR Congo (Zaire), South Sudan	29	Government of South Sudan	State
2020	Ethiopia	1522	Government of Eritrea	State
2020	Ethiopia	280	Tigrean People's Liberation Front	Non-State
2020	Ethiopia	77	Oromo Liberation Army	Non-State
2020	Ethiopia	546		State
2020	Ethiopia, Sudan	512	Government of Ethiopia	State
2020	Haiti	128	Revolutionary Force G9 Family and Allies (Touch One Touch All)	Non-State

2020	Haiti	34	Delmas 19 gang , Delmas 6 gang, Delmas 95 gang, Nan Barozi gang, Nan Belekou gang, Nan Boston gang, Nan Chabon, Nan Ti Bwa gang, Pilate Base gang, Simon Pele gang, Wharf de Jeremie gang	Non-State
2020	India	72	Communist Party of India-Maoist	Non-State
2020	Iran	27	Government of Iran	State
2020	Iraq	36	Government of Iraq	State
2020	Kenya, Somalia	98	Al-Shabaab	Non-State
2020	Mali	69	Dozos (Mali)	Non-State
2020	Mali	54	Hunters who Trust in God	Non-State
2020	Mali	257	Government of Mali	State
2020	Mali, Niger	141	Government of Niger	State
2020	Mozambique	110	Government of Mozambique	State
2020	Nigeria	43	Government of Nigeria	State
2020	Philippines	25	Communist Party of the Philippines	Non-State
2020	Sudan	52	Government of Sudan	State
2020	Syria	25	Government of Syria	State
2020	Yemen (North Yemen)	52	Government of North Yemen	State
2021	Afghanistan	87	Government of Afghanistan	State
2021	Afghanistan	156	Taleban	Non-State
2021	Afghanistan, Burkina Faso, Chad, DR Congo (Zaire), Egypt, India, Iraq, Mali, Mozambique, Niger, Nigeria, Pakistan, Syria, Tanzania, Uganda	3775	Islamic State	Non-State
2021	Brazil	43	Red Command	Non-State
2021	Burkina Faso	35	Government of Burkina Faso	State
2021	Burkina Faso, Mali	299	Group for the Support of Islam and Muslims	Non-State
2021	Burundi	52	Government of Burundi	State
2021	Cameroon	58	Government of Cameroon	State
2021	Cameroon, Niger, Nigeria	102	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2021	Cameroon, Nigeria	53	Ambazonia insurgents	Non-State
2021	Central African Republic	50	Union for Peace in the Central African Republic	Non-State
2021	Central African Republic	79	Coalition of Patriots for Change	Non-State
2021	Central African Republic	45	Government of Central African Republic	State
2021	Colombia	29	Gaitanista Army of Colombia	Non-State

2021	Colombia	55	Revolutionary Armed Forces of Colombia - Central General Staff	Non-State
2021	Colombia	33	Government of Colombia	State
2021	Colombia, Venezuela	30	National Liberation Army	Non-State
2021	DR Congo (Zaire)	410	Union of Revolutionaries for the Defense of the Congolese People	Non-State
2021	DR Congo (Zaire)	57	Patriotic and Integrationist Forces of the Congo Chambre noire sanduku.	Non-State
2021	DR Congo (Zaire)	182	Zaire self-defense group	Non-State
2021	DR Congo (Zaire)	30	Alliance of Patriotic Federalists-Gutabara, Ngumino	Non-State
2021	DR Congo (Zaire)	102	Government of Democratic Republic of the Congo (Zaire)	State
2021	Ethiopia	523	Tigrean People's Liberation Front	Non-State
2021	Ethiopia	25	Oromo Liberation Army	Non-State
2021	Ethiopia	1440		State
2021	Ethiopia	29	Oromo Liberation Army - Fekade Abdisa faction	Non-State
2021	Ethiopia, Sudan	1294	Government of Ethiopia	State
2021	Ethiopia, Yemen (North Yemen)	1513	Government of Eritrea	State
2021	Haiti	69	Revolutionary Force G9 Family and Allies (Touch One Touch All)	Non-State
2021	India	40	Communist Party of India-Maoist	Non-State
2021	Iran	26	Government of Iran	State
2021	Iraq	34	Government of Iraq	State
2021	Kenya, Somalia	87	Al-Shabaab	Non-State
2021	Kingdom of eSwatini (Swaziland)	48	Government of Kingdom of eSwatini (Swaziland)	State
2021	Mali	48	Government of Mali	State
2021	Mexico	26	Government of Mexico	State
2021	Mozambique	70	Government of Mozambique	State
2021	Myanmar (Burma)	82	National Unity Government	Non-State
2021	Myanmar (Burma)	600	Government of Myanmar (Burma)	State
2021	Myanmar (Burma)	25	Karen National Union	Non-State
2021	Nigeria	37	Indigenous People of Biafra	Non-State
2021	Nigeria	32	Yan Sakai	Non-State
2021	Nigeria	33	Bonta Boys	Non-State
2021	South Sudan	46	Government of South Sudan	State
2021	Sudan	81	Government of Sudan	State

2021	Yemen (North Yemen)	34	Government of North Yemen	State
2022	Afghanistan	189	Government of Afghanistan	State
2022	Afghanistan, Burkina Faso, Cameroon, DR Congo (Zaire), Egypt, Iraq, Mali, Mozambique, Niger, Nigeria, Pakistan, Philippines, Syria	3808	Islamic State	Non-State
2022	Brazil	26	Bonde do Maluco	Non-State
2022	Brazil	60	Red Command	Non-State
2022	Brazil	33	First Command of the Capital	Non-State
2022	Burkina Faso	196	Government of Burkina Faso	State
2022	Burkina Faso, Mali, Niger, Togo	510	Group for the Support of Islam and Muslims	Non-State
2022	Burundi, DR Congo (Zaire)	39	Government of Burundi	State
2022	Cameroon	47	Government of Cameroon	State
2022	Cameroon, Niger, Nigeria	178	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2022	Cameroon, Nigeria	130	Ambazonia insurgents	Non-State
2022	Central African Republic	57	Coalition of Patriots for Change	Non-State
2022	Central African Republic	35	Government of Central African Republic	State
2022	Colombia	40	Gaitanista Army of Colombia	Non-State
2022	Colombia	48	Revolutionary Armed Forces of Colombia - Central General Staff	Non-State
2022	Colombia	26	Comandos de la Frontera	Non-State
2022	Colombia, Venezuela	29	National Liberation Army	Non-State
2022	DR Congo (Zaire)	595	Union of Revolutionaries for the Defense of the Congolese People	Non-State
2022	DR Congo (Zaire)	61	Alliance for the Liberation of Congo	Non-State
2022	DR Congo (Zaire)	54	Alliance of Patriotic Federalists-Gutabara, Ngumino, Twiganeho	Non-State
2022	DR Congo (Zaire)	63	Patriotic and Integrationist Forces of the Congo Chambre noire sanduku.	Non-State
2022	DR Congo (Zaire)	154	Zaire self-defense group	Non-State
2022	DR Congo (Zaire)	258	Defense Force against the Balkanization of Congo	Non-State

2022	DR Congo (Zaire)	25	Patriotic and Integrationist Forces of the Congo Chambre noire sanduku., Union of Revolutionaries for the Defense of the Congolese People	Non-State
2022	DR Congo (Zaire)	55	Bon Temple de Dieu	Non-State
2022	DR Congo (Zaire)	25	Mayi Mayi Chini ya Tuna	Non-State
2022	DR Congo (Zaire)	300	March 23 Movement	Non-State
2022	DR Congo (Zaire)	121	Government of Democratic Republic of the Congo (Zaire)	State
2022	DR Congo (Zaire)	69	Government of Rwanda	State
2022	DR Congo (Zaire), South Sudan	95	Government of South Sudan	State
2022	Ecuador, Mexico	26	Jalisco Cartel New Generation	Non-State
2022	El Salvador	88	Mara Salvatrucha (El Salvador)	Non-State
2022	Ethiopia	974	Government of Eritrea	State
2022	Ethiopia	78	Tigrean People's Liberation Front	Non-State
2022	Ethiopia	117	Oromo Liberation Army	Non-State
2022	Ethiopia	237	Fano	Non-State
2022	Ethiopia	378	Government of Ethiopia	State
2022	Haiti	43	Revolutionary Force G9 Family and Allies (Touch One Touch All)	Non-State
2022	Haiti	61	400 Mawozo	Non-State
2022	India	48	Communist Party of India-Maoist	Non-State
2022	Iran	211	Government of Iran	State
2022	Kenya, Somalia	88	Al-Shabaab	Non-State
2022	Mali	275	Government of Mali	State
2022	Mexico	27	Los Ardillos	Non-State
2022	Mexico	33	Sinaloa Cartel	Non-State
2022	Myanmar (Burma)	86	National Unity Government	Non-State
2022	Myanmar (Burma)	616	Government of Myanmar (Burma)	State
2022	Nigeria	77	Government of Nigeria	State
2022	Sudan	74	Government of Sudan	State
2022	Ukraine	1130	Government of Russia (Soviet Union)	State
2023	Afghanistan	43	Government of Afghanistan	State
2023	Afghanistan, Belgium, Burkina Faso, Cameroon, DR Congo (Zaire), France, Iraq,	2218	Islamic State	Non-State

	Mali, Mozambique, Niger, Nigeria, Pakistan, Philippines, Somalia, Syria, Uganda			
2023	Benin, Burkina Faso, Mali, Niger, Togo	1064	Group for the Support of Islam and Muslims	Non-State
2023	Brazil	32	Bonde do Maluco	Non-State
2023	Brazil	90	Red Command	Non-State
2023	Brazil	25	Group of the 40 thieves	Non-State
2023	Burkina Faso	355	Government of Burkina Faso	State
2023	Burundi, DR Congo (Zaire)	39	Government of Burundi	State
2023	Cameroon	25	Government of Cameroon	State
2023	Cameroon, Chad, Niger, Nigeria	166	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2023	Cameroon, Nigeria	105	Ambazonia insurgents	Non-State
2023	Central African Republic	28	Coalition of Patriots for Change	Non-State
2023	Colombia	79	Revolutionary Armed Forces of Colombia - Central General Staff	Non-State
2023	Colombia	34	FARC - Segunda Marquetalia	Non-State
2023	Colombia, Venezuela	34	National Liberation Army	Non-State
2023	Colombia, Venezuela	145	Gaitanista Army of Colombia	Non-State
2023	DR Congo (Zaire)	760	Union of Revolutionaries for the Defense of the Congolese People	Non-State
2023	DR Congo (Zaire)	44	Patriotic and Integrationist Forces of the Congo Chambre noire sanduku.	Non-State
2023	DR Congo (Zaire)	61	Zaire self-defense group	Non-State
2023	DR Congo (Zaire)	180	Mobondo	Non-State
2023	DR Congo (Zaire)	58	Patriotic Defence Volunteers	Non-State
2023	DR Congo (Zaire)	26	Congo River Alliance	Non-State
2023	DR Congo (Zaire)	138	March 23 Movement	Non-State
2023	DR Congo (Zaire)	136	Government of Democratic Republic of the Congo (Zaire)	State
2023	DR Congo (Zaire)	100	Government of Rwanda	State
2023	Ethiopia	148	Oromo Liberation Army	Non-State
2023	Ethiopia	131	Fano	Non-State
2023	Ethiopia	190	Government of Ethiopia	State

2023	Georgia, Ukraine	314	Government of Russia (Soviet Union)	State
2023	Haiti	70	5 Segond, Taliban	Non-State
2023	Haiti	65	Grand Ravine	Non-State
2023	Haiti	49	G-Pep	Non-State
2023	Haiti	72	Terre Noire	Non-State
2023	Haiti	84	Government of Haiti	State
2023	India	43	Communist Party of India-Maoist	Non-State
2023	Indonesia	28	Organization for a Free Papua	Non-State
2023	Israel	39	Government of Israel	State
2023	Israel	673	Islamic Resistance Movement	Non-State
2023	Kenya, Somalia	60	Al-Shabaab	Non-State
2023	Mali	204	Government of Mali	State
2023	Mexico	27	Jalisco Cartel New Generation	Non-State
2023	Myanmar (Burma)	596	Government of Myanmar (Burma)	State
2023	Nigeria	58	Forces of Terwase Akwanza	Non-State
2023	Nigeria	36	Government of Nigeria	State
2023	South Sudan	38	Government of South Sudan	State
2023	Sudan	1784	Rapid Support Forces	Non-State
2024	Afghanistan, Burkina Faso, Cameroon, DR Congo (Zaire), Germany, Iran, Iraq, Mali, Mozambique, Niger, Nigeria, Pakistan, Russia (Soviet Union), Syria, Turkey	3792	Islamic State	Non-State
2024	Afghanistan, Pakistan	37	Government of Afghanistan	State
2024	Benin, Burkina Faso, Mali, Niger, Togo	1396	Group for the Support of Islam and Muslims	Non-State
2024	Brazil	55	Red Command	Non-State
2024	Burkina Faso	795	Government of Burkina Faso	State
2024	Burundi	51	Government of Burundi	State
2024	Cameroon	34	Ambazonia insurgents	Non-State
2024	Cameroon, Chad, Niger, Nigeria	223	People Committed to Propagating the Prophet's Teachings and Jihad	Non-State
2024	Central African Republic	44	Azande Ani Kpi Gbe	Non-State
2024	Central African Republic, DR Congo (Zaire)	99	Coalition of Patriots for Change	Non-State
2024	Central African Republic, Mali, Ukraine	151	Government of Russia (Soviet Union)	State
2024	Colombia	74	Gaitanista Army of Colombia	Non-State

2024	Colombia	78	Revolutionary Armed Forces of Colombia - Central General Staff	Non-State
2024	Colombia	30	Revolutionary Armed Forces of Colombia - Central General Staff - Calarcá	Non-State
2024	DR Congo (Zaire)	27	Democratic Liberation Forces of Rwanda-Abacunzi Fighting Forces	Non-State
2024	DR Congo (Zaire)	343	Union of Revolutionaries for the Defense of the Congolese People	Non-State
2024	DR Congo (Zaire)	33	Zaire self-defense group	Non-State
2024	DR Congo (Zaire)	65	Union of Patriots for Liberation and Development	Non-State
2024	DR Congo (Zaire)	86	Mobondo	Non-State
2024	DR Congo (Zaire)	67	Patriotic Defence Volunteers	Non-State
2024	DR Congo (Zaire)	242	Congo River Alliance	Non-State
2024	DR Congo (Zaire)	353	Government of Democratic Republic of the Congo (Zaire)	State
2024	Ethiopia	52	Oromo Liberation Army	Non-State
2024	Ethiopia	271	Fano	Non-State
2024	Ethiopia	704	Government of Ethiopia	State
2024	Guatemala	25	Mara 18 (Guatemala)	Non-State
2024	Haiti	66	Revolutionary Force G9 Family and Allies (Touch One Touch All)	Non-State
2024	Haiti	179	Gran Grif	Non-State
2024	Haiti	27	Grand Ravine	Non-State
2024	Haiti	549	Viv Ansanm	Non-State
2024	Haiti	39	Chandelle self-defense group	Non-State
2024	Haiti	45	Government of Haiti	State
2024	India	55	Communist Party of India-Maoist	Non-State
2024	Israel, Syria	42	Government of Israel	State
2024	Kenya, Somalia	92	Al-Shabaab	Non-State
2024	Mali	30	Dozos (Mali)	Non-State
2024	Mali	299	Government of Mali, Government of Russia (Soviet Union)	State
2024	Mali	29	Government of Mali	State
2024	Mexico	43	Sinaloa Cartel	Non-State
2024	Mexico	53	Jalisco Cartel New Generation	Non-State
2024	Mozambique	230	Government of Mozambique	State
2024	Myanmar (Burma)	106	United League of Arakan	Non-State
2024	Myanmar (Burma)	421	Government of Myanmar (Burma)	State
2024	Nigeria	75	Forces of Ayongou	Non-State

2024	Pakistan	39	Baloch National Freedom Movement	Non-State
2024	Papua New Guinea	26	I don't care	Non-State
2024	South Sudan	39	Government of South Sudan	State
2024	Sudan	1851	Rapid Support Forces	Non-State
2024	Sudan	465	Government of Sudan	State