C Thesis

The Responsibility to Protect
*An Emerging Norm Applied to the Conflict of Syria*

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Abstract

In 2005 the United Nations (UN) unanimously agreed setting up a framework for the responsibility to protect (R2P) populations facing mass death and large scale atrocities consisting of three pillars. This responsibility was primarily for states to protect their own population (pillar 1). However, the second pillar of R2P mentions the responsibility for outside actors to engage protecting populations if their home government fails to ensure this protection. This study is about the emergence of R2P and why it has failed to protect the population in the ongoing Syrian intra-state war. Applied to the case of the Syrian conflict is Amitav Acharya’s (2013) model of norm circulation which will serve as the analytical framework for this research. Furthermore, the implementation of R2P is hampered when a permanent member of the United Nations Security Council (UNSC) decides to veto a resolution. This study suggests that when the UNSC is unable to act to protect populations at risk of mass death, a regional organization should have the authority to respond with necessary actions, even though that action would violate the sovereignty of the third state (see Williams et. al, 2012). As to date, the emerging norm of R2P still needs further diffusion in order to reach global acceptance. This research search to continue the development of the understanding of R2P and the emergence of global norms.

Keywords: R2P, Syria, emerging norms, the United Nations
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1. Introduction

1.1 The Responsibility to Protect

The ‘Responsibility to Protect’ (R2P) is a rather young norm which developed slowly since the United Nations (UN) first mentioned it in the 2005 World Summit Outcome (Williams et. al, 2012:483-484). Despite the fact that General Secretary Ban Ki-Moon presented a clarification of R2P in 2009 (Ibid:485) to date the ‘Responsibility to Protect’ remains a contested norm. In his report Ki-Moon addresses the question of R2P as, according to him, “one of the cardinal challenges of our time” (Ki-Moon, 2009:1). He declared, all heads of states universally accepted that “each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity” (Ibid). Moreover, Ki-Moon stated the importance of the assisting role by the international community when states fail to preserve that responsibility. Furthermore, the Secretary General highlighted the three pillar strategy of R2P which is consisting of “Pillar one: the protection responsibilities of the State; pillar two: International assistance and capacity-building; pillar three: Timely and decisive response” (Ki-Moon, 2009:2). The first pillar describes how each state has the responsibility to ensure security to its population and protect it from “genocide, war crimes, ethnic cleansing and crimes against humanity…” (Ki-Moon, 2009:8). He once again stresses the fact that this is something all head of states have agreed to in paragraph 138 from the World Summit Outcome and will act accordingly.

Thereafter, the second pillar explains the role of the international community when a state lacks the capacity to meet these responsibilities to protect from the first pillar. If states are unable to protect their populations, the international community should assist states fulfilling those commitments. Despite often being ignored by decision-makers, the second pillar of R2P is important for prevention of mass atrocity crimes and should be applied frequently (Ibid:9).

Finally, the third pillar addresses the responsibility to react altogether “in a timely and decisive manner when a State is manifestly failing to provide such protection” (Ki-Moon, 2009:9). Simplified, this is the pillar of R2P which discusses the use of force when all possible options to stop mass atrocity crimes peacefully have been exhausted. However, Ki-Moon means that the third pillar has been interpreted too closely. In fact, states have understood the third pillar as black or white: engage militarily or not engage at all. The
Secretary General uses the example of the Kenyan election in 2008 to illustrate how the international community reacted together in a decisive manner to avoid bloodshed (Ibid). The diplomatic tools in this sense include peaceful methods under Charter VI and forceful tools under Charter VII. When implementing these mechanisms, full consideration towards the rules and purposes of the Charters must be acknowledged. Furthermore, the way to best reach settlements during prolonged conflicts as the Syrian one, “lies in an early and flexible response, tailored to the specific needs of each situation” (Ki-Moon, 2009:9).

1.2 The Development of R2P

The emergence of R2P is developed from the framework of humanitarian intervention (Williams et. al, 2012:477) which has developed from the just war tradition and is the most contested idea within that branch. Historically, humanitarian motivation was applied when it suited the interests of powerful European states. For example, during the 19th century coercive force was used by Europeans to defend Christian populations in Turkey. On the other hand, the nations of Europe never waged war to stop slavery, still, “they prohibited their own citizens from participating in the slave trade” (Mingst and Arreguín-Toft, 2011:263). After the Holocaust the idea that all humans needed protection prevailed, regardless of sex, religion, or skin colour. The creation of the UN also got the notion that nations have a duty to interfere in order to protect populations, “a responsibility to protect…” (Ibid). The humanitarian catastrophes in the 1990’s (Bosnia, Rwanda) and early 2000’s (Darfur) brought further light on R2P (Williams et. al, 2012:474, 477) and in 2001 the independent Canadian organisation, the International Commission on Intervention and State Sovereignty (ICISS) published their report on the responsibility to protect (ICISS, 2001). The report states the key principles of R2P. First, the report separately mentions important basic principles and foundations, namely that sovereignty within a state brings responsibility and that primarily it is the state’s responsibility to protect its own people. The second principle mentions that if the population is facing large scale abuse from war or state collapse and that particular state is not willing, or incapable, to stop those crimes from being committed, “the principle of non-intervention yields to the international responsibility to protect” (ICISS, 2001: XI). Furthermore, there are four foundations of R2P describing the advising ethics for the international community: the first one concerns the promise to honour the sovereignty principle; the second one addresses the obligations of the UNSC (under Article 24 in the UN Charter) to preserve international peace and security; the third one, tells about the specific
legal responsibilities of human rights’ laws, covenants and treaties, both nationally and
internationally; the fourth and final question revolves the performances of “states, regional

Additionally, the work by ICISS involves three separate, yet connected, parts of the
responsibility to protect (Williams et. al, 2012:482). First, the Commission believes that
governments have a ‘responsibility to prevent’ (ICISS, 2001:19) mass atrocity crimes from
occurring. This, means to narrow the divergence between words and actions (Ibid). Second,
when states failing in the protection of their populations, or even hurt the population
themselves, the protection responsibilities are diverted to the international community
(Williams et. al, 2012:482). This principle within R2P is called the ‘responsibility to react’
(ICISS, 2001:29) and it also recommends what actions are necessary when governments fail
in their protection. These action can involve “political, economic or judicial measures, and in
extreme cases – but only extreme cases – they may also include military action” (Ibid). Third
and finally, the ICISS report explains the ‘responsibility to rebuild’ (ICISS, 2001:39),
basically how intervening states have a commitment to rebuild destroyed societies after the
use of military force in that state. The report mentions that intervening states are responsible
for security, reconciliation and development, as well as peace building in the torn-down

In conclusion, the ICISS report found that international norms have changed significantly
after the Peace of Westphalia until today (ICISS, 2001:12). To date, state sovereignty is no
longer untouchable and the responsibility to protect outweighs sovereignty. Specifically when
widespread human rights violations have occurred, intervention is a responsibility from the
international community (Williams et. al, 2012:481).

1.3 The Syrian Conflict

In 2011 an unarmed uprising begun as part of the Arab spring (BBC News, 2015). Syrian
civilians demonstrated for democratic elections and Bashar al-Assad’s resignation as
president (Ibid). However, the government responded by sending out security forces who shot
at the protesters and hundreds were wounded (BBC News, 2011). That was the start of what
would turn into a bloody intra-state war and closing in on its fifth year the conflict has now
claimed over 240’000 casualties (Global R2P, 2015b). The Syrian government has bombed
its own population with barrel bombs simultaneously as the Islamic State (IS) has conducted
public beheadings and trying to eradicate religious minorities (Global R2P, 2015a:5). Towns and villages with centuries of a mixture of cultures have now been ripped apart by atrocities from both government troops as well as from rebel militia (Ibid). So far, the Syrian conflict has been a war without winners. Nevertheless, there are five detectable phases of the conflict.

First, in 2011 there were lethal violent responses from government security forces towards spontaneous protests inspired by the ‘Arab Spring’ (Global R2P, 2015a:6). Primarily, student protests erupted in the city of Deraa which spread and swelled into a large national movement (Ibid). Even though most protesters of the rising resistance were part of Syria’s Sunni Muslim majority, the popular movement had sympathizers within every Syrian religious community (Ibid). In April President al-Assad promised democratic reforms and removal of the state of emergency which had lasted for 48 years. However, he kept neither of the promises and instead he ordered the security forces to continue shooting at the protesters and arrest all political opponents (Global R2P, 2015a:6). From March until the middle of May in 2011, around 850 persons got killed in the beginning of the Syrian uprising (Ibid).

The second phase of the Syrian conflict begun during the latter half of 2011. The subsequent creation of the Free Syrian Army (FSA) started with a large number of civilians joining. Along with defectors from Assad’s security forces, they created the first armed movement resisting the violence from the government (Global R2P, 2015a:6). The new army was officially announced in July and in September they met Assad’s troops in the first large-scale battle (Ibid). The president was surprised by the determined armed opposition and changed his tactics since the political resistance towards him kept growing stronger (Global R2P, 2015a:6).

Bashar al-Assad felt threatened by the military resistance and decided to expand his operation and capture the rebellion stronghold of Homs (Ibid). The attack on the city with 600’000 inhabitants meant the beginning of the third phase of the conflict (Global R2P, 2015a:6). Assad’s plan was to conquer Homs by force and his military began to surround the city in February, 2012. Endless bombardments and civilian militias were used trying to make the population surrender (Ibid). Moreover, from this point - even though in limited scale at first - the government started to use helicopters and aircrafts in their attacks on cities controlled by the FSA (Global R2P, 2015a:6).
Following the events of the battle of Homs, the UNSC failed to come up with a resolution for the complicated Syrian conflict due to a double veto from Russia and China (Global R2P, 2015a:6). In 2013 the fourth phase of the conflict begun as the two factions faced a deadlock in the fighting; none could get the military advantage (Ibid). Both Assad’s national army and the FSA managed a large area of territory. Nevertheless, neither could force the other side to a complete defeat (Global R2P, 2015a:6). Iran and Hezbollah were summoned by Assad to increase his military support, but also Russia was an important ally for the Syrian president relying on supplies from the Russians (Global R2P, 2015a:6). On the other hand, the opposition needed support from the Gulf States and from private donors. However, the FSA attracted foreign extremist fighters and the money from private actors also reached those extremists (Global R2P, 2015a:7).

Reaching its fifth phase, since the end of 2013 the conflict in Syria is no longer a political struggle “with sectarian undertones” (Global R2P, 2015a:7). The Syrian conflict has evolved into a complex civil war consisting of both religious minorities such as Alawites and Christians, but also with secular belligerents involved (Ibid). Those minorities are endangered by the expanding Salafist movement within the opposition and are left exposed by both the government as well as from the FSA (Global R2P, 2015a:7). To conclude, Syria has been broken apart “along confessional lines” (Ibid) and split into a fragile mishmash of different military zones competing against each other.

1.3.1 UN Resolution for Syria

Prior to December 2015 all attempts for resolutions concerning Syria in the UNSC were vetoed by either Russia or China or both (Black, 2014). As a matter of fact, there have been four resolutions made by the UNSC - between October 2011 until May 2014 - which all have been vetoed by Russia and China (UN Research, 2015). However, on the 18th of December 2015 the UNSC finally reached a resolution for Syria (UNSC resolution 2254, 2015). Resolution 2254 reaffirmed “its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic, and to the purposes and principles of the Charter of the United Nations.” Furthermore, all fifteen UNSC members agreed on “recalling its demand that all parties take all appropriate steps to protect civilians, including members of ethnic, religious and confessional communities, and stresses that, in this regard, the primary responsibility to protect its population lies with the Syrian authorities” (Ibid). Although the resolution was greeted with relief, several academics criticized it for being powerless and
idealistic, not mentioning the removal of President Bashar al-Assad from power (New York Times, 2015). Moreover, Russia’s actions targeting rebel groups opposing President al-Assad rather than bombing the IS, is believed to make the implementation of the resolution more difficult (Ibid). Even though the resolution mentions the support for “free and fair elections” (UNSC resolution 2254, 2015) which are to be administered by the UN in eighteen months, there is no comment on how the transition process will be done or if Bashar al-Assad is allowed to participate in those elections. However, the resolution does mention the importance of the connection between ceasefire and the political process leading to the elections (Ibid). Still, the European countries aligned with the United States have urged for al-Assad to leave from power, whether it would be in the beginning of the eighteen months transitional period or in the end of it seemed less important (Fassihi, 2015). In conclusion, it is clear that one main thing has been left unattended in the UNSC resolution 2254 which is the question if President Bashar al-Assad should remain in power or not.

1.4 Research Dilemma

In 2005 states made a statement about the responsibility to protect (R2P) as an emerging norm, promising to protect civilians (UNGA, 2005). Eleven years later, in 2016, the population in Syria is dying due to intrastate war and the international community has tried to act, without being able to protect the Syrian population. From a perspective of R2P, in what way is the international community unable protect the people of Syria?

1.5 Research Objective

First of all, the objective of this thesis is to explore why the international community is failing to implement the emerging norm of the R2P. The case chosen for examining this will be the ongoing Syrian conflict. The reason for choosing Syria as a case is because of the current humanitarian crisis exposes the flaws of the implementation of R2P. Moreover, the conflict shows the difficulties with implementing an emerging norm which is highly debated and contested between both the United States and Russia amongst others. Second, the aim of this thesis is to explore why the international community has failed to protect the Syrian population and why some commentators argue that the “emerging norm of the responsibility to protect has failed” (Williams, et. al, 2012:474). As mentioned, the emerging norm of R2P is understood very differently and has been widely discussed. The different understandings of R2P are much due to the interpretation of R2P as being a way for powerful states to justify
intervention (Mingst and Arreguín-Toft, 2011:264). However, the concept of the responsibility to protect involves more than just the means of excusing foreign intervention (Ibid). Indeed, R2P consists of three responsibilities which are separately consisting of: the responsibility to prevent; to react; and to rebuild (ICISS, 2001). Only as a last option, - when all other peaceful means have been exhausted, and populations face mass death, - can it be justified to intervene into a foreign state in order to stop those crimes (ICISS, 2001:29). The independent, Canadian regional organisation ICISS is the founder of this emerging norm (Ibid). Yet, there are other factors of R2P which are significant in order to understand the debate. The complaints towards R2P have touched upon the principle of legitimacy, stating R2P is not legitimate as a protection framework (Kurowska, 2014:497). Additionally, critics mean that there is no legitimate international community who can implement the emerging norm of R2P, because the powerful states in the Security Council use it for their own interests (Mingst and Arreguín-Toft, 2011:265). Therefore, both the development of emerging norms and the concept of legitimacy need to be reviewed since those are essential for understanding the use of R2P.

At this stage in the research the implementation of the responsibility to protect will be generally defined as in the 2005 World Summit Outcome, paragraph 138

> Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability (World Summit Outcome, 2005: Paragraph 138).

Finally, the framework for this thesis will be the constructivist approach since it addresses conflict and the international system as a social construction (Mingst and Arreguín-Toft, 2011:112). Furthermore, constructivism will increase the understanding of how norms are created and how they come to shape behaviour in society.
1.6 Research Questions

Despite the fact that all UN member states have ensured their commitment to enforce the responsibility to protect (UNGA, 2015), why has the emerging norm of R2P been insufficient to ensure the successful protection of civilians in Syria?
2. Theoretical Framework

2.1 Constructivism

Constructivism is a theory based on the thinking that there is no such thing as objective truth in social or political society (Heywood, 2013:16). Although constructivism is not a homogenous theory, constructivist scholars do agree on a number of questions (Mingst and Arreguín-Toft, 2011:84). All constructivists acknowledge that “neither individual, state, nor international community interests are predetermined or fixed, but are socially constructed through constant interaction” (Walt, 1998). Attitudes by the state are framed of ideas of the elites, identities and social norms. The individual is important, as far as he or she models the change of cultures with beliefs and practices. States and their interests, are formed by those individuals’ ideas and actions. Therefore, the objective of constructivism is to study “the norms and practices of individuals and the collectivity”. (Ibid). One of the most famous constructivists, Alexander Wendt, means that political structures, “anarchy or a particular distribution of material capabilities” (Wendt in Mingst and Arreguín-Toft, 2011:84) do not tell much about a state’s nature. Contrary to realism, he argues that neither of these systems can conclude if two states will cooperate or not, or even if they will admit each other’s sovereign rights (Ibid). One interesting aspect constructivism touches upon, is in the discourse of sovereignty. In the constructivist perspective, sovereignty is not an uncontested concept, but rather a value which has been accepted as non-discriminatory by international law. For example, they argue, state sovereignty has continuously been imposed and moulded by “new institutional forms and new national needs” (Mingst and Arreguín-Toft, 2011:85).

Constructivism has not been used extensively in contemporary research on the responsibility to protect and will provide a new perspective on the discussion of R2P. However, Karlsrud (2013:3) writes about how constructivism can be used to understand change in international organisations. He argues that “the evolving norm of Responsibility to Protect has a significant impact on how the UN supports and intervenes in member states…” (Ibid, 2013:3). Furthermore, he analyses the impact of sociology on the constructivist framework and stating that influence as best suited for understanding the development of R2P (Karlsrud, 2013:10-11).
Diana Amnéus (2008) gives an additional contribution to the constructivist approach on international relations and R2P explaining that constructivist theory focuses on questions of “how” rather than “why”. She also explains how constructivism generally dismisses the basic elements of positivism pursuing to catch the grey-zone “between positivist theories… and alternative ‘post-positivist theories’…” (Amnéus, 2008:40). Moreover, Brunnée and Toope argue that the communication in international law is not predetermined from a constructivist perspective. In fact, norms, rules and institutions are transformable through “changes in actor identity” (Brunnée and Toope in Amnéus, 2008:57). Indeed, this is applicable also for the framework of R2P when using a constructivist perspective. After the Cold War the constructivist argument was empowered which said politics and power should not be the sole influences in international relations. Rather, ideas and innovations should have equal focus. Thus, the idea of constructivism in human security gained importance (Amnéus, 2008:46). However, the notion of the emergence between constructivism and R2P seem yet to be fully explored.

2.2 Norm Circulation
The analytical tool used in this research will be Amitav Acharya’s norm circulation model (Acharya, 2013:469-471). His model of norm circulation reflects the evolution of emerging norms and is a significant contribution to the understanding of how norms develop (Acharya in Thakur and Maley, 2015:59). Furthermore, constructivism has provided a large amount of research concerning “not only on whether norms matter, but also how they matter” (Ibid). Norms and how they develop are essential for the responsibility to protect in several ways. Acharya (2013:469-470) explains norm circulation as consisting of four components: sources; contexts; agents; and contestations and feedbacks. First, norms evolve from a number of sources, which are consistent with actors, issues and contexts. However, the bond between the sources and actors, such as the media, may not be easily identified. In fact, the media can construct norms for their own purpose which creates a misperception of who is the original owner of that norm (Acharya, 2013:469). Second, in norm circulation the context of the norm matters as much as the source of it. Moreover, the importance is not whether the creator of the norm is a group or an individual, but “…the context from which he/she draws the norms” (Ibid). Noteworthy is that norms which are considered to be global can have a local context regarding its origin and influence. Of course, norms are adopted regionally or modified to suit its specific environment which is also true for the opposite: regional norms
can be adopted on the global level (Acharya, 2015:469-470). Third, essential in norm circulation is also how norms spread which is as important as its creation and context. The explanation of a new term or a new notion of a norm is important, however “agency can also lie in who and how the norm in question is being promoted” (Acharya, 2013:470). Furthermore, the creation of norms in not the sole privilege of powerful states, since smaller states have the same opportunity to create regional and global norms as the powerful ones do (Ibid). Fourth and finally, the contestation and the feedback in norm circulation is a kind of resistance which “leads to the redefinition, contextualization and localization of a norm is a form of agency” (Acharya, 2013:470). Indeed, norms are not likely to emerge into society extensively, although the concept of global norms applicable to everyone disguises “important variations in the implementation of the norm and the instruments, institutions and processes used for its propagation” (Ibid).

As a matter of fact, norm circulation in international relations is a rather new concept and to date there is no theory for understanding norm diffusion (Acharya in Thakur and Maley, 2015:60). However, in order to enlarge the understanding of origins of norms and how they are interpreted, the concept of norm circulation is a good point of departure (Ibid). Additionally, constructivism is the leading theory in research of norm diffusion and it claims the international system is not only material but also imaginative (Acharya in Thakur and Maley, 2015:60-61). This means that constructivism and norm circulation together can create a strong framework for understanding the emerging norm of the responsibility to protect. To conclude, Acharya means that contestation of the emerging norm of R2P does not necessarily make it weaker. Quite the opposite, the debate around R2P makes it more legitimate and strengthens the process of norm circulation (Acharya in Thakur and Maley, 2015:76).
2.2.1 Model of norm circulation

Sources

→ Agents

Contexts

Contestation –
Slows down the process briefly, molds and redefines the norm

Norm diffusion
3. Methodology

This research is a desk study reviewing how the norm of the responsibility to protect has emerged and developed over time. Furthermore, I will apply my findings on the case of the Syrian conflict and explain why this emerging norm has been insignificant to protect the population of Syria. While conducting my research I will be using secondary sources, which will mainly be academic articles but also newspaper articles. Since I will be interpreting existing literature I will use constructivism and Acharya’s model of norm circulation as my analytical framework. I have chosen constructivism as my analytical framework because I believe it provides the best understanding of global issues related to R2P and foreign intervention policies. Furthermore, constructivism is preferred because it focuses on the perspective of the beholder. Identities and values are shaped by the individual, which is a substantial difference compared to realism which focuses on the state (Walt, 1998). Acharya’s model is selected because it explains how norms emerge, develop and how they slowly get accepted by society. The responsibility to protect is indeed a controversial emerging norm which still has gained legitimacy from the international community (Acharya, 2013:476-477).

The decision to do this research was due to the lack of consensus as to how norms emerge and how they are being implemented into society. Also, since the emerging norm of R2P is controversial there is no common ground on how it should be interpreted. Still, several academics try to clarify how the norm of R2P should be exercised. Ki-Moon, (2009); Williams et. al, (2012); Averre and Davis, (2013); and the ICISS, (2001) all provide perspectives on how this norm should be understood. Therefore, it is important trying to explain why the emerging norm of R2P is significant in international relations, why it has been disputed and difficult to implement.

Subsequently, the norm of R2P has been interpreted differently also by the main national state actors in international relations, the United States and Russia. Several academics review the position towards R2P from both the United States as well as Russia. Moreover, concerning the U.S attitude on R2P, Junk (2014); Albright and Williamson (2013); and Haar (2015) do have different opinions to some extent. However, the different mind-sets (which are explained further in the literature review) give credibility to the research because it is important to look at both critical and positive aspects towards each countries’ interpretation.
of R2P. The Russian attitude towards R2P is more homogenous prioritising state sovereignty above foreign intervention responsibilities (Kurowska, 2014). Therefore, the breadth of the Russian discourse of R2P is not as wide as the American one. As a matter of fact, there are both positive and negative consequences from that statement: first, it will be easier conducting my study if the Russian discourse is consensual. Second, it is always beneficial using a wide scope of academic articles with different opinions since that gives depth the analysis.
4. Literature Review

4.1 Legitimacy, Norms and the Development of R2P

4.1.1 Legitimacy

The question of legitimacy is certainly important concerning emerging norms and its development. Since the ICISS report mentions inaction from the Security Council as one of the contributing factors for losing legitimacy, the UNSC cannot be inactive during a humanitarian crisis like the one in Syria. They would lose their credibility as main enforcer of global security (Pingeot and Obenland, 2014:14). Therefore, the discussion on legitimacy is vital in the sense of understanding the emerging norm of R2P and its implementation in conflicts when the UNSC is unavailable to intervene. Furthermore, Germany is one country which believes that under extreme humanitarian circumstances the UNSC should not be the only actor able to authorize action by force (Pingeot and Obenland, 2014:27). On the other hand, the wide interpretation of R2P allows morality “to base arguments on subjective rather than legal criteria” (Pingeot and Obenland, 2014:36). Consequently, there is an obvious difference between ‘legal’ and ‘legitimacy’ which follows the argument that “...what law forbids conscience may still command and what is legal is not always legitimate” (Ignatieff in Pingeot and Obenland, 2014:36). Still being a disputed controversy and without specific rules, the concept of legitimacy becomes a matter of ethics and moral high-ground (Pingeot and Obenland, 2014:36).

Connecting to Pingeot and Obenland’s discussion on legitimacy, Ian Clark (2005) writes about the connections between legitimacy, the international society and how they are connected to the use of force by an outside actor. Clark discusses the concept of legitimacy and how it exists within the international society. Early on he argues that after the humanitarian crises in Kuwait and the former Yugoslavia, the UN was believed to be the centre of legitimacy during the following decade (Clark, 2005:1). Furthermore, former Secretary General Kofi Annan stated after the attacks of 9/11: “it is only the UN Security Council that can provide the unique legitimacy that needs to be able to act” (Annan in Clark, 2005:1-2). The former President of France, Jacques Chirac, supported Annan’s argument when saying: “only the Security Council can legitimize the use of force” (Chirac in Clark, 2005:2). The fundamental components of legitimacy derive from a series of norms. The most particular ones “are the norms of legality, morality and constitutionality”. Moreover, Clark
(2005:4) claims these norms as separately important for the development of the main values of the international society. The composition of the international society is made up by “principles and practices of domestic legitimacy” (Donnelly in Ibid, 2005:4). The two most significant factors of these principles are the ‘rightful membership’ and the ‘rightful conduct’. Clark points out the description of ‘rightful conduct’ as being developed to a minimum in the existing literature. Yet, he describes the feature as being studied focusing on legitimate characteristics of the state (Reus-Smit, 1999; Bobbitt, 2002 in Clark, 2005:5). Intrinsically, ‘rightful conduct’ surrounds the difficult connection between legitimacy and international consensus. Moving forward to ‘rightful membership’, it is described as strongly linked to the first concept of ‘rightful conduct’. As a matter of fact, these two features of legitimacy work together meaning that existing ‘rightful membership’ is needed in order to create ‘rightful conduct’ (Clark, 2005:5).

Certainly, legitimacy and international society are interconnected with the responsibility to protect. More specifically there are two reasons why they are connected. Primarily, the idea of legitimacy fits well together with society. However, the second aspect is more disputed, meaning that legitimacy is the essential component of what is suggested by an international society (Clark, 2005:5). Nevertheless, Clark clarifies that other mechanisms are important to review in order to understand the linkages between legitimacy and international society. Specifically, he points at “including international society’s notions and degrees of consensus, as well as its distribution of power” (Clark, 2005:245). Nevertheless, the distribution of power is easily benefitting the major powers within the UN Security Council. The adoption of R2P can be used by those powers to legitimize disobedience towards opponents to make them cooperate (Pingeot and Obenland, 2014:38). In fact, the relevance of the UNSC and its absolute legitimacy to decide when and where to implement the norm of R2P can inevitably lead to the weakening of the UN itself (Ibid, 2014:38). Specifically, “there are two main ways to ruin the UN: to ignore its relevance in war/peace situations, or to turn it into a rubber stamp for geopolitical operations of dubious status under international law or the UN Charter” (Falk and Krieger in Pingeot and Obenland, 2014:38).

4.1.2 Norms

The defining feature for emerging norms in international relations is the legal concept of *jus cogens*. Those features are defined as the following: “no State may derogate by way of treaty” (Nieto-Navia, 2001:1). Norms come to shape behaviour and constructivists believe
that social norms change over time. Nonetheless, not all norms are necessarily transforming. For instance, individuals as well as initiatives from the group can change social norms. Usually, collective change occurs by force, however, international institutions generally are the main factor behind change within law and social movements (Mingst and Arreguín-Toft, 2011:107). Essentially, norm diffusion is how norms spread and become accepted. Moreover, constructivists are particularly interested in “analysing the major changes in the normative structure…” (Ibid). Specific areas of interest are: historical change of the adoption of coercive force; the view on humanity; and the globalisation of democratic values and human rights principles (Mingst and Arreguín-Toft, 2011:107-108). Actually, these aspects are the foundation of the development of what would become ‘the emerging norm of the responsibility to protect’ (Amnéus, 2008:548). Before discussing that emerging norm, one has to review how norms become powerful. As mentioned, from a constructivist framework, norms change over time. This is also true for the acceptance of norms which is a process in itself (Mingst and Arreguín-Toft, 2011:228). Likewise, as realists, constructivists believe material capabilities are important when explaining change and diffusion of norms. However, culture and ideas, specifically how ideas shape behaviour, is more highlighted by constructivists than from realists (Ibid) Furthermore, law is substantial in constructivist thinking, not so much because law creates accurate rules, “but because it reflects changing norms” (Mingst and Arreguín-Toft, 2011:228). States adopt norms, change them and outline their nature. Some basic norms which interest constructivists are multilateralism and international cooperation. Also, through cooperation in multilateral organisations, states exchange norms with each other. The most known examples of norm exchange cooperation are the non-proliferation of nuclear weapons, humanitarian intervention and human rights questions (Ibid). Now, turning to emerging norms, or more exactly the emerging norm of R2P, the standpoint begins with the concept of humanitarian intervention. The next paragraph will look at the emergence of R2P in the United States and in Russia and how their impact developed R2P from the concept of humanitarian intervention.

4.2 American R2P

The United States of America has been an important contributor in the development of R2P as an emerging norm. In fact, domestically, no one has been as dedicated towards the norm as President Barack Obama. Pingeot and Obenland (2014:26) confirm that the Obama administration has been more dedicated to R2P than any other American president before.
Indeed, the White House declared “preventing mass atrocities and genocide is a core national security interest and a core moral responsibility of the United States” (Pingeot and Obenland, 2014:26). Additionally, Junk (2014:536) points out an important aspect of the American perception of R2P. He mentions Albright and Williamson’s report (2013) who concludes that R2P is a known phrase among the U.S public. However, it has often been misunderstood mainly because of the domestic opinion that R2P requires U.S foreign interventions. As a matter of fact, there is no argument within international law that supports this misunderstanding, but still U.S foreign policy decisions concerning R2P are affected by the public opinion (Junk, 2014:536). Even though the public majority has been sceptical about the concept of R2P, President Obama has endorsed the framework of R2P by setting genocide as a priority agenda. In Obama’s own administration there has been a more positive attitude towards R2P than from the general public. Furthermore, American diplomats have often mentioned R2P as an important mechanism during UN debates about humanitarian intervention and mass killing prevention strategies. Even so, the Obama administration has still been reluctant to embrace the concept of R2P fully. This is because the Obama foreign policy strategy is governed by careful balancing between national interests and security values. Also, the American Congress has shared the public’s sceptical view about R2P. The President has therefore tried to convince both an unwilling population and a struggling Congress with a case-by-case tactic. So far, the result has been a combination with the former Bush administration’s policy that R2P is reviewed as a moral concept “that should guide—not bind—the international community, while binding those governments under whose jurisdiction atrocities are committed” (Junk, 2014:537-538). Obama’s approach to R2P has indeed been exceptionally different from any other American president. The most significant example is his speech to the nation after his decision to enforce UN Security Council resolution 1973 in Libya. President Obama said that it was America’s responsibility as human beings acting to stop Qaddafi’s atrocities on his own populations (Obama, 2011). Furthermore, he talked about the American exceptionalism saying: "some nations may be able to turn a blind eye to atrocities in other countries. The United States of America is different. And as President, I refused to wait for the images of slaughter and mass graves before taking action" (Ibid).

However, American exceptionalism - meaning the United States as the profound protector of human rights - is not as evident in Syria as it was in Libya. During a press conference on August 20th 2012 President Obama said that the use of chemical and biological weapons by
the Assad regime would change his calculus and impose a giant effect on his decisions, talking about a ‘red line’ (The White House, 2012). As mentioned in the introduction, chemical weapons were used in Syria, still Barack Obama did not go from words to action saying there never was a ‘red line’ (The White House, 2013). Obama’s turnaround could have occurred from the fact that the international community did not reach consensus as to which Syrian faction had used the weapons (Pingeot and Obenland, 2014:35). Nevertheless, the ‘red line’ debacle was a huge blow to American endorsement of the responsibility to protect, damaging both credibility and their self-assumed frame of exceptionalism.

In conclusion, the official assessment of the U.S approach to R2P is overall positive. The United States is indeed one of the strongest supporters of the R2P principle (Pingeot and Obenland, 2014:26). Nevertheless, it is clear that Obama’s policy approach to the responsibility to protect in Syria has not been consistent and is lacking strategy.

4.3 Russian R2P

The Russian attitude to R2P has been quite different from the American one. During the case of Libya, Russia did not veto the resolution which authorized the use of force against Qaddafi’s forces (Reykers and Smeets, 2015:369). Furthermore, Morris (2013:1272) claims that Russia perceived transformation on the position in favour for interventions and feared that the Libyan case could “potentially open the door to large-scale military intervention” (Ibid). Reykers and Smeets (2015:369) explain Russia’s abstention in the Libyan crisis as different from their previous actions when approaching interventions in the Security Council. Russia’s common ground is explained as non-interventionist and respecting state sovereignty. Although Russia abstained in the Libyan case, Russian diplomats found similarities between Libya and conflicts which had not been treated with authorisation from the Security Council; specifically Iraq, 2003 and Kosovo, 1999 (Putin in Reykers and Smeets, 2015:369). Reykers and Smeets (2015:370) argue that Russia’s complicated position in the Security Council is not analysed with respect to regional organisations such as the North Atlantic Treaty Organization (NATO). Dannreuther (2015:78) reviews the Russian attitude towards the Arab Spring and describes the aftermath of the Libyan crisis as a debate-creator of Russian R2P. Vladimir Putin’s faction of a more aggressive outlook on Western interventions as illegitimate and a threat to Russian national security was victorious. Therefore, a doctrine viewing the Arab Spring as “strengthening and consolidating Islamist extremism” (Ibid) was established. Ziegler (2014:2) returns to Russia’s reluctance towards R2P and declares them as
the key state contesting the core principle of R2P: giving up state sovereignty. Furthermore, by examining the Russian position on R2P he wants to develop an understanding on “…how opposition to this emerging norm has been framed and realistically assess the prospects for effective norm diffusion and multilateral action to prevent mass atrocities” (Ibid).

The emerging norm of R2P is disputed much because states interpret the norm very differently. Ban Ki-Moon (2009) described how he, as the UN Secretary General, wanted the R2P norm to be implemented. However, not all heads of state share his opinion; or rather, several world leaders interpret his description of the implementation of R2P differently. The Russian understanding of R2P has been much more focused on sovereignty than from the rest of the international community (Kurowska, 2014:490). Russian policy-makers speak about “the so-called responsibility to protect” (Ibid), meaning the Western approach towards the R2P norm is too liberal and focuses on intervention. Thus, Russia prefers to have the role of a guardian keeping an eye on the Western liberal expansion of R2P. The concepts of “limited sovereignty” and “humanitarian intervention” are something that Russia has endorsed instead of the “basic principles of international law” (Kurowska, 2014:494). Nevertheless, the Russian interpretation of R2P is strengthened in their sense of deception by the West (Kurowska, 2014:489). This can be explained as Russia seeing sovereignty as something which is not developed by the West. Instead, Russia prefers to look at R2P and sovereignty together as something not applicable with the liberal Western standpoint (Kurowska, 2014:490). Even so Russia’s angle is that the world benefits from a multipolar view of R2P; instead of the current unipolar system with the United States as the main agenda creator (Ibid).

Finally, the literature reviewing Russian interventionism and R2P is more or less consensual. Zenko (2014), Reykers and Smeets (2015), Dannreuther (2015), and Ziegler (2015) all agree on Russia’s reluctant position opposite to the Western view on R2P. However, Ziegler (2015:2) explains the importance of not seeing Russia as a representative for a non-Western position towards R2P *per se*. Still, his main point is that Russia indeed has a different, more non-interventionist opinion on R2P compared with the West (Ziegler, 2015).
4.4 Additional Views on R2P

4.4.1 Canada
Canada has played an important role in the development of R2P. From the beginning the Canadian interest in R2P begun with its large focus on human rights issues. Their foreign policy thinking was influenced by the emergence of the ban of landmines and also the creation of the International Criminal Court (ICC) (Pingeot and Obenland, 2014:25). Furthermore, the ICISS was designed in the country and several Canadian Prime Ministers have endorsed the framework of R2P into their governments (Pingeot and Obenland, 2014:26). Also the academic world got strong support through financing from Canada. For example, the Canadian Consortium on Human Security (CCHS) was set up in 2001 focusing on research on human security (Ibid). However, the Canadian support for R2P declined dramatically during Prime Minister Stephen Harper’s time in office. Indeed, Harper did comment on R2P in his primary speech in 2006, but as the years passed he seemed to neglect it. As a matter of fact, in 2009 the Harper administration prohibited the use of the phrase ‘R2P’ by all government officials (Pingeot and Obenland, 2014:36). Nevertheless, under the new rule of Justin Trudeau, Canada has once again embraced the responsibility to protect as important mentioning it in his remarks to the government on extending the Canadian combat mission in Iraq and into Syria (Liberal, 2015).

4.4.2 Germany
Germany is one of the prominent supporters of R2P and is a part of the Group of Friends of R2P (Pingeot and Obenland, 2014:26). In the time of the crisis in Libya and the question of conducting an intervention there or not, Germany was a non-permanent member of the UNSC. In the debate they concluded that R2P has had a positive evolution especially concerning the Security Council’s resolutions in Libya and Côte d’Ivoire (Ibid). Earlier, in 2012 Germany did address their notions on R2P in the General Assembly during the 4th Informal Interactive Dialogue on the Responsibility to Protect. Ambassador Berger stated Germany’s full commitment to “the application of R2P as a holistic concept that merges prevention and response” (Berger in Germany UN, 2012).
5. Findings

Linking the concepts from Acharya’s (2013:470-471) model of norm circulation with the implementation (or rather the lack of implementation) of R2P in Syria is crucial for the understanding how global norms emerge. The sources, agents, contexts and feedback have to be identified in the Syrian conflict which will enlarge our understanding of how the global norm of R2P can emerge. There are many sources touching upon the inter-state war in Syria, however there are different categories of sources and they should be used and interpreted differently. First there are newspaper articles which can rapidly inform the public what is happening on the ground of the battlefield. Despite being an important source of information it is important to remember the following: who wrote the article and for what purpose; what is the political standpoint of the magazine for which the author is writing; and when was the article written, is it recent? All those aspects are important when considering newspaper information about any conflict. Second, there are academic articles or academic journals which are completely different from newspaper magazines. Evidently, academic articles are well researched and peer-reviewed before published. Of course this makes them distributed slower than newspaper articles which affects the time aspect of the source. Moreover, academic journals are written for an academic audience and that can make these articles less accessible to the public, since it often takes subscription to read these kind of articles. However, it is important to remember that media and articles - both newspaper as well as academic journals - are only one type of source affecting norm circulation. In the Syrian conflict there are other sources shaping the circulation of the emerging norm of R2P such as politicians, military leaders, and religious leaders.

Moving forward to Acharya’s second point of norm circulation is the context of the norm. The context of the emerging norm of R2P in Syria is how the norm fits into the current setting of the conflict. Right now the current setting in which the UNSC has managed a first resolution (UNSC resolution 2254, 2015) provides a possibility to become the right context of the implementation of R2P. Yet, this has not happened because China and Russia have vetoed any foreign action against the Syrian government (UN Research, 2015). Nevertheless, the resolution provides an opening in which the permanent members of the UNSC can forge the right context for R2P to be used.
Third, the agents of the norm, or the actors of the norm which is the element of how norms spread. Applied on the Syrian conflict, norms like the responsibility to protect seem to spread slowly. Neither President al-Assad, nor the rebel groups and absolutely not IS are specifically interested in implementing a norm which gives foreign actors the right to enter into their battleground. However, it is important to remember that the norm of R2P can be implemented in several ways according to the first and second pillars and these pillars do not use the language of military intervention from foreign actors. Nevertheless, the actors spreading the norm of R2P in Syria right now are rather the emergency aid-workers from Médecines Sans Frontières (MSF) and the UN, as well as the U.S Special Forces training the so called moderate rebels opposing al-Assad. Of course, that programme was cancelled by the U.S a couple of months after its initiation (Al-Jazeera, 2015).

Fourth and finally, there are contestations and feedback which lead to the redefinition of the norm. In Syria the norm of R2P is meeting extensive resistance from the actors involved in the conflict (mentioned in the previous paragraph). Even though the responsibility to protect is being contested in Syria it does not mean that it is not evolving. The model of norm circulation show how a global norm develops during and after it has been contested. When a norm is debated and questioned it is easier to improve it in order to make it fit for the specific context. In Syria the emerging norm of R2P has not been able to be implemented. Therefore, it is likely to be developed further to make it fit to the context of Syria.
6. Analysis

6.1 Challenges to the Emerging Norm of R2P

The Syrian conflict is complicated due to factors such as a multitude of actors, asymmetrical warfare and an international community which is acting bystander (Global R2P, 2015a:20). Other factors connected to the complex conflict in Syria are the failed war by the United States in Iraq (Pingeot and Obenland, 2014:16); two main powers, Russia and the United States failing to cooperate in conducting airstrikes (Global R2P, 2015b); and grievances between Sunni, Shiites and Alawites in the Syrian community (Global R2P, 2015a:7). From a perspective of the emerging norm of R2P one can argue for two main points of departure concerning Syria. First, the primary principle of R2P is that states have a responsibility to engage by force in order to prevent genocide (Pingeot and Obenland, 2014:20). Thereby violating the sovereignty of the oppressive state, which is still not in accordance with international law (UNGA, 2005) and is therefore the second point of importance.

Consequently, there is no obvious answer to the question why the international community has been unable to protect the Syrian people. However, looking exclusively at R2P can provide a few answers. First, the R2P principle has proved useless unless the Security Council vote with consensus (Pingeot and Obenland, 2014:3). This means that the five permanent member states (the P5) of the Security Council, The United States, Russia, China, France and Great Britain, have been completely handcuffed and unable to act due to different interests of their own. The discussion of diverging interests by the P5 is a significant one, nevertheless it is not adequate with R2P and is more in line with the discourse of power politics. Second, during the use of chemical weapons in Syria in 2013 the Security Council disagreed who had actually used those weapons. The United States, Great Britain and France claimed the Assad regime responsible, while Russia and China opposed, explaining the weapons were used by the rebels. In a situation like that the question arises who is the “international community” when there is no unity among that community? This branch of R2P has become a “code word for ‘the good members of the international community’ generally understood to be Western powers…” (Ibid, 2014:35). Third, and maybe most importantly, the weaknesses of R2P itself has proved to be a big problem for the international community to find ways to implement a response to the Syrian crisis. The primary issue is that the definition of R2P can be interpreted very differently. The role of military intervention is the main example when explaining the distraction around R2P. Although several
enthusiasts argue that military intervention is only one aspect of R2P, others claim that it is its main focus. Therefore, the mechanism of R2P remains unfocused and is indeed an emerging norm in need of further development (Pingeot and Obenland, 2014:3).

The UNSC has been constrained when facing differing opinions by the P5. In fact, the Syrian crisis is the perfect example of one particular weakness in R2P, which is the UNSC’s inability to act. However, according to Williams, Ulbrick and Worboys (2012:488-489) there is an alternative way to use R2P in order to break the deadlock in Syria. The authors point out that when having a situation of inaction by the UNSC, a legitimate regional organization should have the authority, if willing, to take restrained use of force in order to protect people from mass killings (Williams et. al, 2012:489) In the case of Syria, a legitimate regional organization could be the Arab League. Vanhullebusch (2015:151) highlights the fact that the Arab League has been both a diplomatic and military force in the Middle East since its creation in 1945. Additionally, The League has been active before the United Nations were properly installed. When set, the UN began to cooperate with the Arab League and they even stated an agreement which would legitimize the use of force and placement of future military operations when facing regional crisis (Vanhullebusch 2015:151). Nevertheless, the perspective on R2P was interpreted with great caution by the states within the League and the moral and religious grounds were examined carefully. Despite, their caution Vanhullebusch (2015:152) still argues the importance for the Arab League to take military action in in order to protect the populations of Syria.

When having a division among the international community the flaws of R2P are brought to light. Despite substantive efforts neither the UN nor any regional organisation have come up with concrete measures to protect the Syrian populations from mass atrocity crimes. Even though the UNSC actually has come up with a recent resolution, the effects are yet to be seen and it will take time to fully see those effects from the resolution (Fassihi, 2015).

6.2 R2P and the International Community

The international community is a very large group of states and organisations acting on a global level (Mingst and Arreguín-Toft, 2011:185). The UN is fundamentally designed to preserve worldwide peace and safety, therefore the UN is understood to be one of the most important institutions of the international community (Mingst and Arreguín-Toft, 2011:189). In the Syrian conflict, the international community within the UN is indeed split between two
branches. As mentioned earlier, the Western powers in the UNSC consisting of the United States, The United Kingdom and France have embraced a framework of R2P calling themselves “the good members of the international community” (Pingeot and Obenland, 2014:35). On the other hand, Russia and China are left to be perceived as the villains in this community. However, this distinction is very much narrative and prejudice (Kurowska, 2014:492). Thus, no conclusions can be drawn from the statement that the U.S, the U.K and France are “the good members of the international community”. In fact, that assumption is dangerous for the global cooperation concerning finding the solution to the Syrian humanitarian crisis. R2P has become a doctrine which requires much clarity when, in reality, there is little or none (Pingeot and Obenland, 2014:35). In short, the emerging norm of R2P needs to develop further in order to reach clarity.

The lack of a united international community is one element which complicates the Syrian conflict. Nevertheless, if there is no consensus in the UN (which is the broadest legitimate international community) a regional organisation could have the authority to protect the Syrian population in accordance with the rules of R2P (Williams et. al, 2012:489). Right now Russia is the only legitimate actor in Syria, since they are the only faction being invited in the country by the government (Lynch, 2015). In fact, Russian foreign minister Sergei Lavrov has ensured Russia’s engagement to international law also referring to the statement that a humanitarian crisis can only be resolved with consent from the legitimate Syrian government (Averre and Davis, 2015:824). President Vladimir Putin confirmed this statement when assuring that all Russian actions in Syria was in full consent from the Syrian authorities and accurate to international law (Kremlin, 2015). Moreover, Putin said all other nation-states acting in Syria are doing so illegally because there has neither been a Security Council resolution, nor a formal demand from the Syrian government (Kremlin, 2015). However, no faction currently active in Syria, neither Russia nor the United States, have mentioned R2P as a reason to intervene. The main reason for the United States to intervene so far has been to bomb the IS (Global R2P, 2015b). Therefore, no alliance looks for the interest of protecting a suffering population from their own leader (Williams, et. al. 2012:493). Nevertheless, it is evident that the use of R2P in Syria should be implemented. In the United Nations Human Rights Commissioners’ (UNHRC) report from February 2012 the parallel to the possible use of R2P is found when the report established: “Syria has manifestly failed to protect its own people” (UNHRC in Williams et. al, 2012:493). Furthermore, the latest report from September 2015 concludes that Syrian:
Government forces have directed attacks against the civilian population… As part of this widespread attack on the civilian population, in accordance with State policy, Government forces have perpetrated crimes against humanity of murder, extermination, torture, rape, enforced disappearance and other inhumane acts (UNHRC, 2015: paragraph 168).

At this point a fragile unity among the nations within the Security Council, may been reached concerning the issue of protecting the people of Syria (UNSC resolution 2254, 2015:4). However, as mentioned in the introduction, the resolution is very vague not saying if Bashar al-Assad needs to retire as president (Fassihi, 2015). This means that a lot of negotiations are urged in order for all parties to reach as peace plan which will satisfy the people of Syria.

6.3 The Third Pillar of R2P and the Use of Force
The most disputed element within the responsibility to protect is its third pillar and the possible use of force (Williams et. al, 2012:486). The mass atrocity crimes in Rwanda and Kosovo forced the international community to find a globally accepted way to act under those circumstances. Nevertheless, when NATO and the Western coalition states used force against the Milosevic regime in Serbia they did not have the authorization from the UNSC. Therefore, from many states their actions in the conflict was regarded as illegitimate and presumed R2P to be an excuse for regime change (Ibid). Since then R2P has been implemented more carefully and until now with the full consent from the UNSC (Williams et. al, 2012:488-489). However, the crisis in Syria requires new actions from R2P in order for the international community not to sit answerless during an ongoing genocide. Thus, in the light of the current Syrian crisis, R2P needs to be embraced in such a manner that it is usable even when the UNSC is not reaching consensus (Williams et. al, 2012:489). According to Williams et. al, (2012:490) the prevention of genocide has been accepted as jus cogens, meaning being vital for the international community. This kind of position is significant in international law since it reminds all states that they have a responsibility to stop genocide, regardless of where they are committed. The example of Syria shows that the world is left watching when the UNSC is unable to “act to prevent mass atrocities, either in a timely and decisive manner, or at all” (Ibid).
Furthermore, even when the UNSC is united in its decision, there is still significant problem in the implementation of the pillars of R2P. Because of the difficult situation on the ground in Syria, even with a resolution in hand, the execution of the use of force in accordance with the third pillar of R2P is almost impossible (Williams et. al, 2013:495). However, at this point, all parties involved seem to realize the stalemate which makes it impossible for either side to win a military victory (Ekots lördagsintervju, 2016). Therefore, the international community should continue with diplomatic measures instead of leaning towards coercive methods (Williams et. al, 2012:495). In fact, the Syrian conflict cannot be resolved with coercive force, even if those methods are accurate with the third pillar of R2P (Ibid). Finally, although the first step towards the peacebuilding process has been initiated, the norm of R2P has yet to be fully evolved before it can be used to stop a conflict as severe as in Syria.

6.4 The Circulation of Norms and the Future of R2P
In the future, the responsibility to protect needs to be further discussed and developed in order to apply to global conflicts. Still, norms develop slowly and as any international law the decision-makers creating those laws do not have time on their side (Acharya, 2013:479). The emergence of international norms is neither a straight process, nor a one leap process, but one which takes time and must not be carried out by a single actor (Ibid). The responsibility to protect shows essential awareness of what norm creation and circulation are like and how they result from a variety of sources, agents and contexts (Acharya, 2013:479). By increasing the understanding of agency framework everyone can learn to acknowledge the complex framework which is making the foundation of R2P (Ibid). If we learn to apply that enlarged framework “that advocates of R2P, [we] can make a stronger case for the acceptance of the norm – by either North-South or East-West” (Acharya, 2013:479).
7. Conclusion

7.1 Discussion and Recommendations

As 2016 is upon us it is clear that the Syrian conflict only can be resolved through diplomatic negotiations. This means that in its current form the emerging norm of the responsibility to protect is not good enough to ensure the protection of people facing mass atrocity crimes when the UNSC is unable to act. As mentioned, during complex conflicts, regional organisations should have the authority to enforce coercive measurements if a government fails in the protection of its population. Therefore, the question of sovereignty must not be prioritized during a conflict with mass atrocity crimes being committed. Under such circumstances the protection of the targeted people must be the primary goal; thus putting sovereignty aside, at least for an instant period of time. In order to be able to act faster the Security Council should have the possibility to let a recognized and willing regional organization act in accordance with the third pillar of R2P.

Finally, for the time being the responsibility to protect is inadequate in its current form to successfully protect people facing imminent death and mass murder. The struggle of the interpretation and implementation of R2P remains to date the most significant hinder for its future development as an emerging norm. Also, the true intentions of powerful states intervening in a third state are uncertain: even if they claim using the third pillar of R2P the questions of self-interest and imposing regime change continue. The emerging norm of the responsibility to protect is still developing and needs to progress its evolvement, otherwise the legacy of R2P will be as a tool used solely by powerful states to protect their interests overseas.
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