
Evaluating the Efficacy of the Responsibility to Protect (R2P) Doctrine in the Prevention of Mass Atrocity Crimes

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Abstract

Mass atrocity crimes prevention remains one of the major dilemmas facing the current international law and world governance. Following the deceptions of the international community to prevent genocides and rampant crimes against civilians in the late twentieth century, the concept of Responsibility to Protect (R2P) became a normative approach that aimed at balancing the sovereignty of states and the duty to protect of the population against genocides, crimes against humanity, and war-related crimes as well as ethnic cleansing. This study attempts a critical evaluation of the effectiveness of R2P in preventing crimes against humanity on mass scales using factors such as legal underpinnings, institutionalization and field practice. The study places R2P in the context of the whole development of international law, and questions its historical precursors with the international humanitarian law, international criminal law and international human rights law and its formal recognition in the United Nations world summit in 2005. It breaks down the tripartite structure of R 2 P and appraises how the principle of sovereignty and non- interception theories as mutually supportive has been transformed by the doctrine in question. This investigation, by selectively questioning the main case studies, such as Libya (2011), Syria, Myanmar (the Rohingya crisis) and the Israel Palestine situation, reveals the asymmetric application of R2P and the powerful impact of the politics in the United Nations Security Council. Its results fill in a long-term gap between the normative promise of R2P and its empirical results. Though the doctrine has elicited much discussion about atrocity prevention, early warning, and accountability measures, it has not been able to prevent and end the mass atrocity crimes at all times. Pickiness, Council of Security paralysis and militarization fears and shortage in accountability still puts limits on its success. Nonetheless, the principle that sovereignty contains duties and that mass atrocity crimes are the matters that ought to have a lawful international interest has been reiterated through R2P. The article finds that R2P is not a legal rule but a passing normative tool that is mainly a soft-law tool. It argues that the strengthening of R2P requires further emphasis on the preventive elements, the legal boundaries of the step, the restrictive use of the veto in the cases of atrocities, and the increased collaboration with the stakeholders in the regions and the country. The solution to these dilemmas can help R2P to better fulfill its initial mandate in guaranteeing the populations of states against extreme violence without undermining legitimacy of the international law order.

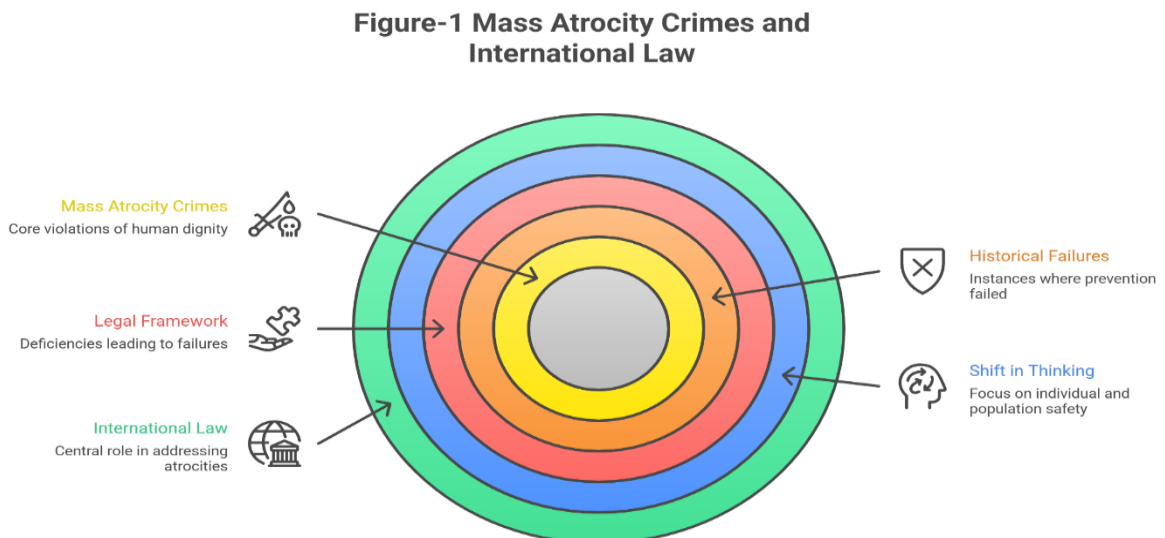
Keywords: Responsibility to Protect (R2P); Mass Atrocity Crimes; State Sovereignty; United Nations Security Council; Atrocity Prevention; International Law

Introduction

Prevention and response of the mass atrocity crimes have taken an undisputed centre stage of international law scholarship and discourse within the global governance especially after the kind of suffering that was witnessed in the twentieth century.¹ Genocide, crimes against humanity, ethnic cleansing and war crimes are the most outrageous violations of human dignity, mostly conducted on a mass level and with disastrous consequences upon the civil population.²

The fact that neither the international community nor the individual states could prevent these crimes, the Holocaust, the Cambodian genocide, the Rwandan disaster and the mass killings in former Yugoslavia, shows what the pre-existing legal framework lacked, there is the tension between the notion of state sovereignty and the need to protect the fundamental human rights. These historical moments created a slow, but terminal change in the international legal thinking: the tribunal of states was replaced by a growing interest in the safety of individuals and vulnerable populations against extreme violence.³

The legal categories enacted after the War to be used in the perpetrators of the mass atrocity crimes are best embodied in the Convention on the Prevention and Punishment of the Crime of Genocide of 1948 and the Nuremberg and Tokyo canonical trials. These achievements were a significant break with the conventional paradigm of absolute sovereignty, thus accepting that some behavior was to be held on a communal level and cross the national boundaries rather than the local. The latter were later enforced by the subsequent evolution of the international humanitarian law, the human rights law, and criminal law.⁴ The ad hoc tribunals of the former Yugoslavia and Rwanda in the late twentieth century, then the inauguration of the International Criminal Court in 2002 are evidence of the institutionalization of mechanisms of accountability but the continuation of mass violence points to the fact that prohibition and retrospective justice is not an adequate deterrent.



Source: Developed by the Researcher

¹ Karstedt, Susanne. "Contextualizing mass atrocity crimes: Moving toward a relational approach." *Annual Review of Law and Social Science* 9.1 (2013): 383-404.

² Hamamra, Bilal, and Fayeze Mahamid. "Faith, community, and resilience during genocide in Gaza." *Disasters* 50.1 (2026): e70023.

³ Koch, Julian. *Perpetrators in Documentaries on Genocide*. Edinburgh University Press, 2026.

⁴ Bush, Jonathan A. "The Supreme... Crime and Its Origins: The Lost Legislative History of the Crime of Aggressive War." *Colum. L. Rev.* 102 (2002): 2324.

Figure-1 shows that mass atrocity crimes represent the core violations of human dignity. It highlights how weaknesses in legal frameworks and past historical failures have allowed such crimes to occur. The figure emphasizes the central role of international law and a shift in thinking toward prevention and population safety.

The Responsibility to Protect (R2P) doctrine in this continuum can be seen as a particular and explicit effort to fill the noticeable gap between normative commitments and the action of theory.⁵ The concept of humanitarian intervention gained a new meaning and was officially defined by the R2P in the 2001 report of the International Commission on Intervention and State Sovereignty. The doctrine places the major protective function on the state, in lieu of the prerogative the external actors. A failure of a state to have this duty sees the international community acquiring a residual responsibility to protect the affected populations, the first one being through peaceful means and the latter as a last resort whereby coercive intervention will be employed, pursuant to the Charter of the United Nations.⁶

The direction of R2P is part of a general paradigm shift within the international law community: that sovereignty is understood not as being solely about the authority to control over a territorial domain but as a comprehensive obligation to the peoples under the protection of the aegis of a state.⁷ It was ultimately politically established during the 2005 United Nations World Summit, during which heads of state recognized with no conditions that genocide, war crimes, ethnic cleansing, and crimes against humanity are squarely under the R2P. The three interconnecting pillars of the doctrine were expounded in successive reports of the United Nations Secretary -General; he declared that the duty of the state is to protect people; international community has a duty to help the state fulfill this duty; and the responsibility of the international community to decisively act when failure by national authorities are evident.⁸

Although it has been rhetorically widely supported everywhere, R2P practice is still highly controversial. This causes the doctrine to be undermined by occasional selectivity, deadlocks in the UN Security Council, uneasiness about politicized abuse, and inconsistent enforcement of the doctrine.⁹ The interventions in Libya (2011), the ongoing conflict in Syria (since 2011) and other recent instances of civilian mass violence all demonstrate the potential as much as the shortcomings of R2P as a legal-political construct, asking fundamental questions of its status as a legal norm, its connection to the status quo, and its ability to actually prevent or end the mass atrocity crimes.¹⁰

The research problem discussed herein is based on the long-lasting disconnection between the normative rhetoric of R2P and the disproportionate praxis. In addition to the mass atrocity crimes which have been unambiguously condemned by the international law and R2P has been validated by the international community unquestioningly, the international community has continued to have a hard time responding in a way that is not only untimely but also inconsistent as well as unlawful. It is an ongoing tension that tells about the unresolved tensions in the framework of the duty of the state sovereignty against the protection of human rights, the role of the international institutions in fulfilling this duty, as well as the degree to which R2P has solidified into a legal norm or remains mostly a political commitment.

This is the main goal of this research, as it is a serious attempt to conduct a careful analysis of the development of mass atrocity offenses in the framework of the set of rules of international law, questioning the principles

⁵ Gagro, Sandra Fabijanić. "The Responsibility to Protect (R2P) Doctrine." *International Journal of Social Sciences* 3.1 (2014): 61-77.

⁶ Bellamy, Alex J. *Responsibility to protect*. Polity, 2009.

⁷ Garwood-Gowers, Andrew. "China's "Responsible Protection" concept: Reinterpreting the Responsibility to Protect (R2P) and military intervention for humanitarian purposes." *Asian Journal of International Law* 6.1 (2016): 89-118.

⁸ Thakur, Ramesh. "The responsibility to protect at 15." *International Affairs* 92.2 (2016): 415-434.

⁹ Hilpold, Peter, ed. *The Responsibility to Protect (R2P): A New Paradigm of International Law?*. Martinus Nijhoff Publishers, 2014.

¹⁰ Hobson, Christopher. "Responding to failure: The responsibility to protect after Libya." *Millennium* 44.3 (2016): 433-454.

and discourse of R2P. The study will evaluate the claim that R2P has significantly helped in strengthening the international legal framework of preventing and responding to mass atrocities or it is still limited by its own structural and political barriers. The main questions will be the conceptualization of crime against humanity, reformulation of the international rule of sovereignty under R2P, normative consolidation of the doctrine of R2P and the effect of international response guided by R2P on the state action and governance of other countries.

The importance of this question is related to the fact that it contributes to the current academic discussion of the issue of international law and world order in the context of protecting the populations against the highest violence. The analysis will explain the success and failures of the mass atrocity crime protection mechanisms in place today by placing R2P into the historical development of the norms of the conceptual framework. The policy-makers, international organisations, and law practitioners can find this piece of work particularly relevant in enhancing preventative mechanisms as well as in developing more efficient collective responses to atrocities. Finally, the research makes an attempt to enlighten the revising of international legal and institutional strategies that consider the human protection priority without jeopardizing the legitimacy, legality and structure as rule based international order.

Conceptual and Legal Framework of the Responsibility to Protect

Responsibility to Protect (R2P) represents a paradigm shift and normative change in the international law, the nexus between the state sovereignty and the necessity to reveal the population against extreme violence is fundamentally re-established.¹¹ Its dogma is based on the understanding that sovereignty is not a one-dimensional right, but a two-fold mandate, which has its own duties; as such, the international community gains a legitimate interest in the prevention and response of mass atrocity crimes in the instance of a sovereign state that may prove to have failed to keep its two-fold mandate.¹² R2P framework incorporates already existing legal frameworks, i.e., the international human rights law, the international humanitarian law, and the international criminal law into the single coherent approach that places an emphasis on the prevention, humanitarian aid, and response as a collective.¹³

Definition and Scope of Mass Atrocity Crimes under International Law

Mass atrocity crimes are the most serious crimes against the international law which results in mass suffering and causation of life to the majority of civilian people.¹⁴

In the context of the Responsibility to Protect (R2P), such crimes are narrowed to those against humanity and the crimes against humanity, war and ethnic cleansing.¹⁵

The covered Convention on the Prevention and Punishment of the Crime of Genocide includes the concept of genocide as acts against the specific intent to destroy by whole or part a member of a protected group through national, ethnic, racial, or religious affiliation.¹⁶

¹¹ Mardiyanto, Ibnu. "The Responsibility to Protect (R2P) Concept as an Attempt for Protection of Human Rights in International Humanitarian Law Context." *Volksgeist: Jurnal Ilmu Hukum dan Konstitusi* 6.1 (2023).

¹² Reinold, Theresa. "The responsibility to protect—much ado about nothing?." *Review of International Studies* 36.S1 (2010): 55-78.

¹³ Rosenberg, Sheri P. "Responsibility to protect: A framework for prevention." *Global Resp. Protect* 1 (2009): 442.

¹⁴ Karstedt, Susanne, Hollie Nyseth Brehm, and Laura C. Frizzell. "Genocide, mass atrocity, and theories of crime: unlocking criminology's potential." *Annual Review of Criminology* 4.1 (2021): 75-97.

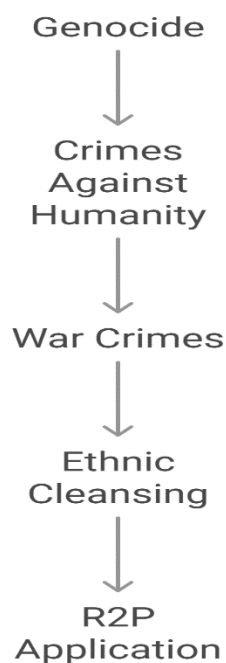
¹⁵ Anderton, Charles H., and Jurgen Brauer. "Mass atrocities and their prevention." *Journal of Economic Literature* 59.4 (2021): 1240-1292.

¹⁶ Zyberi, Gentian. "Responsibility of states and individuals for mass atrocity crimes." *The Practice of Shared Responsibility in International Law*. Cambridge University Press, Cambridge (2017): 236-262.

Inhumane activities in humans Crimes against humanity consist of a continuum of inhumane acts such as murder, enslavement, torture, rape, and persecution when committed as an element of a mass or systematic attack against a civilian population.

War crimes are highly egregious breaches of the international humanitarian law that can be used in either an international or non-international military conflict, including the serious violations of the Geneva Conventions. Although it is not a crime specially defined in treaty law, the ethnic cleansing, which is often referred to as forced removal of populations based on ethnic and religious affiliation is generally accepted as being the subject of the prosecution in the framework of genocide or crimes against humanity.¹⁷ All these four classifications help outline the line beyond which the human rights issue of R2P is applied thus differentiating it with human right issues that are more generic.

Figure-2 International Crimes and R2P Application



Source: Developed by the Researcher

Figure-2 illustrates the spectrum of international crimes: genocide, crimes against humanity, war crimes, and ethnic cleansing. These crimes collectively trigger the Responsibility to Protect (R2P). The figure shows how R2P is applied once such grave crimes are identified.

Origins of R2P: ICISS Report (2001)

The Responsibility to Protect (R2P) has its original impetus in a commentary by the International Commission on Intervention and State Sovereignty (ICISS) in its epic 2001 report. The formation of the commission was prompted by the the recurrent failures of the international community to prevent occurrences of mass-

¹⁷ Scheffer, David. "Genocide and atrocity crimes." *Genocide Studies and Prevention* 1.3 (2006): 229-250.

atrocities and also by the divisive discussions that had been being launched regarding humanitarian intervention that is undertaken without the support of a Security Council resolution.¹⁸

In its publication, the ICISS report has reversed the paradigm in question shifting the emphasis to the fact that the entitlement of a state to intervene was not pertinent but the need that the states were obligated to protect their citizens against severe damages. It introduced the new concept of the sovereignty not being a right but a duty and hence states which fail to provide or refuse to do their protective duties transfer this duty to the global community. The report identified three related responsibilities, including the responsibility to prevent the occurrence of crises, the responsibility to intervene when populations face absolute danger and the responsibility to help in their rebuilding and recovery after intervention. Even though the report was not given a binding legal power, it played a central role in guiding the international discourse and provided the intellectual framework on which the further formal development of R2P was built.¹⁹

R2P and its Endorsement at the 2005 UN World Summit

Responsibility to protect achieved a coronation of political importance in 2005 at the United Nations world summit, where governmental-heads-of-state gave a unanimous decision in support of the main tenets of the doctrine. The World Summit Outcome Document established that every nation has a responsibility to protect its people against genocide, war crimes, ethnic cleansing and crimes against humanity whilst the international community should also take over in helping states to execute this duty.²⁰ It also reimburses that the collective action, formed by the United Nations and pursuant to the Charter should be resorted to when the state authorities have proven unable to serve and safeguard its citizens. This approval proved to be a turning point, and leveraged R2P to the framework of the United Nations and reducing its scope to specific crimes that amount to direct statement crimes- essentially a response to the current issues of possible abuse and overstep.²¹ Even though the Outcome Document is not legally binding, it demonstrates a high degree of political acceptability, and has become a key point of reference upon which further resolutions and practice by the United Nations have been made.

The Three-Pillar Framework of R2P

The process of bringing the concept of the Responsibility to Protect (R2P) into life was further explained by creating a three-pillar framework by the United Nations Secretary-General. The former pillar focuses on the major role of the state in the protection of its population against mass atrocity crimes relying on the prevailing legal obligations according to the international law.

The second pillar underscores the role that international community should play in helping states fulfill their protection obligation by undertaking capacity-building, development aid, mediation as well as early warning systems.²²

The third pillar relates to the possibility of the international community to act in taking timely and decisive action in situations where a state has failed in a manifest manner in serving its population. This should be done in consensus and in accordance to the Charter of the United Nations such action should be diplomatic and economic action and in some extreme incidences the application of force which is sanctioned by the

¹⁸ Smit, Nicolaas A. *The evolution of the Responsibility to Protect: from the ICISS to the 2005 World Summit*. Anchor Academic Publishing (aap_verlag), 2013.

¹⁹ Cunliffe, Philip. "From ISIS to ICISS: A critical return to the Responsibility to Protect report." *Cooperation and Conflict* 51.2 (2016): 233-247.

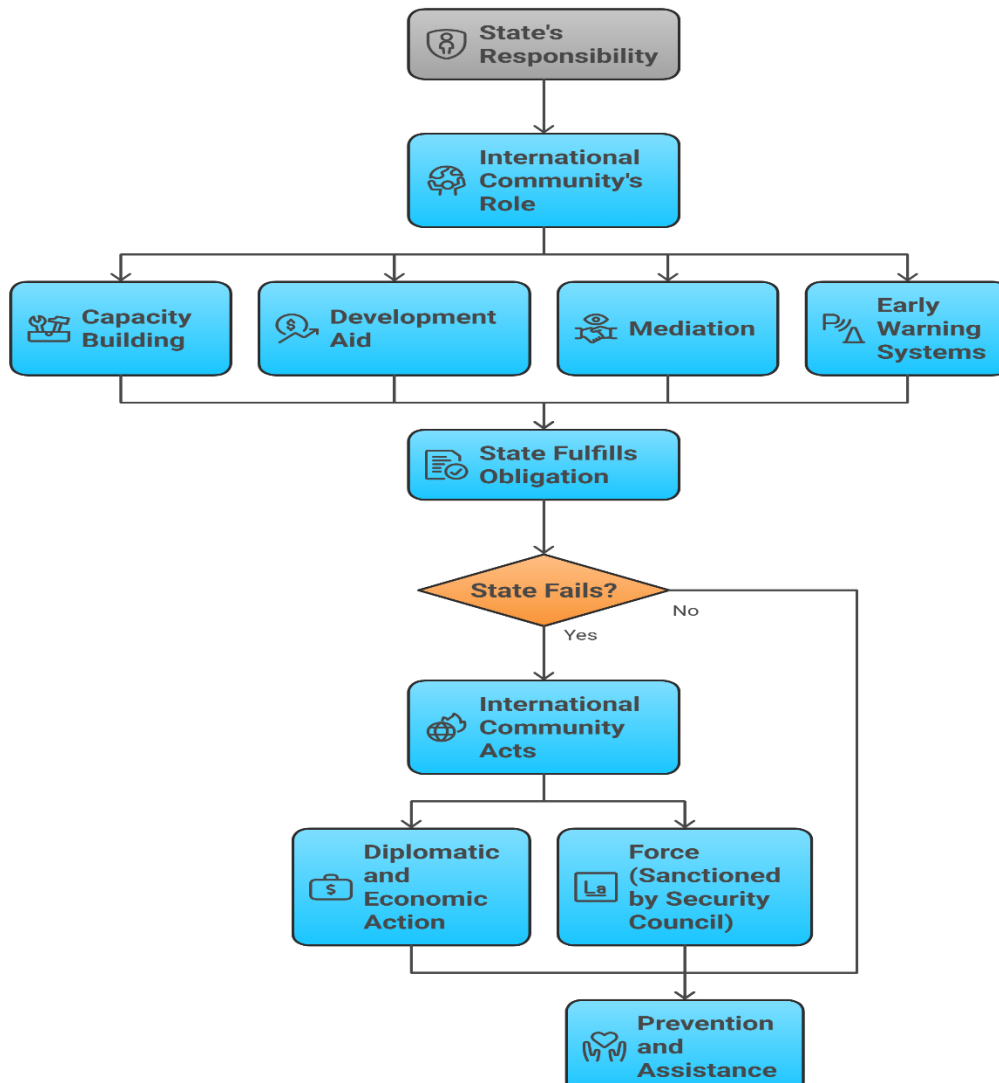
²⁰ Weiss, Thomas G. "R2P after 9/11 and the World Summit." *Wis. Int'l LJ* 24 (2006): 741.

²¹ Murthy, C. S. R., and Gerrit Kurtz. "International responsibility as solidarity: The impact of the world summit negotiations on the R2P trajectory." *Global Society* 30.1 (2016): 38-53.

²² Weerdesteijn, Maartje, and Barbora Holá. "'Tool in the R2P Toolbox'?: Analysing the Role of the International Criminal Court in the Three Pillars of the Responsibility to Protect." *Criminal Law Forum*. Vol. 31. No. 3. Dordrecht: Springer Netherlands, 2020.

Security Council. This model highlights that prevention and assistance are the main focus of R2P and the coercive measures are used as the failure option.²³

Figure-3 Three-Pillar Framework of R2P



Source: Developed by the Researcher

Figure-3 explains that the primary responsibility to protect populations lies with the state. If the state fails, the international community supports through prevention measures such as aid, mediation, and early warning. When failure persists, collective action including diplomatic, economic, or Security Council-authorized force may be taken.

²³ El Hachem, Sahar. Responsibility to protect: Pillar 3 the political agenda behind the military intervention in Syria. Diss. Notre Dame University-Louaize, 2023.

Legal Status of R2P: Soft Law vs Emerging Customary Norm

The jurisprudential issue of the Responsibility to Protect is one of the points of contention in academic circles. A significant group of scholars considers R2P as a form of soft law, which is governed by non-binding norms and political engagements and influences state behaviour without creating legally enforceable commitments. The tools, which have already been implemented in this respect, the World Summit Outcome Document, the resolutions of the General Assembly, the reports of the Secretary-General belong to this category and they provide guidance as well as establish expectations, but not codified responsibilities.²⁴

Simultaneously, there is still an eloquent argument that the elements of R2P are drawing towards the traditional international law. It is this point of view that supports the idea that the primordial obligation of states to protect their populations is already established as the duty of binding law and that the growing allusions to R2P to the United Nations practice and domestic discourse are indicative of a growing view of the legal responsibility. However, the skewed utilization, selective implementation and continued politicized categorizations, especially in the Security Council shows that R2P has not been completely solidified as a customary norm. In turn, the role of R2P is that of a potent normative regulator for the international law, as it strengthens the currently existing legal responsibilities, but is also open to further legal and political challenge.²⁵

R2P and the United Nations Charter System

In all aspects, the Responsibility to Protect exists within a context of the United Nations Charter system, as opposed to existing outside of it academically. It is widely accepted by scholars that this is one of the most important goals of R2P to balance the need to protect population against the mass atrocity crimes with the principles of the Charter, first of all, the sovereignty, non-intervention, and the need to prohibit the use of force. Quite to the contrary, R2P is an attempt to explain how the already existing provisions of the Charters are to be understood and exercised when some situations related to genocide, crimes against humanity, war crimes, and ethnic cleansing occur. Its growth is an attempt to achieve a shift to the contemporary problems at the level of the Charter system retaining its main devotion concerning international security and peace and collective security.²⁶

Compatibility of R2P with State Sovereignty and Non-Intervention

The main point behind the academic discussions of the concept of Responsibility to Protect (R2P) is the principle of state sovereignty and the norm of non-intervention in the internal matters. Traditionally, sovereignty was considered as a confirmation of the sovereign to supervise the internal affairs of states, which were provided with the protection of the Article 2(7) of the Charter of the United Nations. R2P puts a new twist to this concept, not that it should be an unconditional defence against outside probing, but as a duty that the people owe to the state. In this concept, the legitimacy of a state is directly and essentially related to the capability as well as the readiness of a state to safeguard its people against the mass atrocity crimes.²⁷ Once a state is capable of performing this duty, R2P in fact strengthens the concept of sovereignty at the expense of highlighting national property as well as prime responsibility. On the other hand, in cases when a state proves to be incapable of protection of its people or because of intentional choice, the principle of non-intervention gives way to the overall interest of the global community to stop serious crimes that are of international interest. In this regard, the concept of R2P is packaged to be in line with the maintainability of sovereignty

²⁴ Kenny, Coman, and Sean Butler. "The legality of intervention by invitation in situations of r2p violations." *NYUJ Int'l L. & Pol.* 51 (2018): 135.

²⁵ Thakur, Ramesh, and Thomas G. Weiss. "R2P: from idea to norm-and action." *Global Resp. Protect* 1 (2009): 22.

²⁶ Halt, Brad. "The Legal Character of R2P and the UN Charter." *E-International Relations* 8 (2012).

²⁷ Sharan, Anupama. "From Non-intervention to R2P." *Indian Journal of International Law* 56.1 (2016): 81-94.

because it would presuppose non-intervention on the part of responsible government as opposed to despising the powers of the state per se.²⁸

R2P and the Prohibition of the Use of Force (Article 2(4))

A general ban on the threat or use of force to international relations is codified in Article 2(4) of the United Nations Charter, and is a principle of *priori imperativo* of the post-1945 international legal order.²⁹ Another key concern that is raised in the Responsibility to Protect (R2P) is that the doctrine might defy or circumvent this ban by authorizing humanitarian intervention using military force. The R2P framework makes it very clear that the use of force needs to be Charter-compliant, which in turn remains the illegality of unilateral military intervention.³⁰ The doctrine does not have to create a new exception to Article 2(4) but instead locates the doctrine of the use of force permissible subject to requisites being established within the structures of the Charter which already exist. In the R2P schema, military intervention is seen as a final step, which should be called on after all to other peaceful redress failed and after mass atrocity offenses are already committed or are being planned. This kind of a strategy is aimed at protecting the robustness of the general ban on force but acknowledges that some extraordinary situations can call on concerted action to protect the population against the heinous acts.³¹

Role of the UN Security Council under Chapter VII

Security Council has become one of the crucial tools in the process of operationalizing the responsibility to protect (R2P) when it comes to coercive action. Chapter VII of the Charter of the United Nations entitles it to conclude whether there is a threat to peace, a breach of peace, or an act of aggression; and to impose approaches to the ramifications that are as light as an economic ban and as heavy as a legitimate employment of force. In the R2P model, the mass atrocity crimes are increasingly being conceptualized as being a threat to international peace and security and thus are within the jurisdiction of the Council squarely. This mandate is further justified by the explicit support of the collective action by the Security Council in the 2005 World Summit Outcome Document that entails that the response to the situation of atrocities should be based on multilateral decision-making and not unilateral initiative. However, the success of R2P is still closely connected to the politics that are played in this deliberative institution.³²

One of the main barriers to a successful application of the practice of R2P is based on the veto property of the five permanent members of the Security Council. The constant imposition or a threat of veto has created vetoed stalemates hence retarding prompt and resolute action in situations where mass murder atrocity crimes occur.³³ Such factors as strategic interests, geopolitical rivalries, and others which can be seen as politically motivated are likely to define the voting patterns of the permanent members thus undermining the principal principle of collective responsibility. Therefore, critics claim that R2P has not been implemented selectively and uniformly, and this factor discredits and invalidates its assertiveness and validity. As a reaction to this, a series of solutions have been put forward to restrain the veto usage in the case of mass atrocity, such as

²⁸ Mazzanti, Maria. *From state sovereignty to responsibility to protect*. Diss. Institut d'études politiques de Paris-Sciences Po, 2013.

²⁹ O'Connell, Mary Ellen. "The prohibition of the use of force." *Research Handbook on International Conflict and Security Law*. Edward Elgar Publishing, 2013. 89-119.

³⁰ Nowak, Manfred, Karolina Miriam Januszewski, and Jane Alice Hofbauer. "R2P and the Prohibition of Torture." *The Responsibility to Protect (R2P)*. Brill Nijhoff, 2015. 293-308.

³¹ Lindersköld, Kajsa. "The responsibility to protect-A foundation for making exceptions to the general prohibition on the use of force?." (2019).

³² Shams, Aliakbar. "The Role of International Law in Reshaping Cyber Criminology: Case Study "Draft United Nations Convention Against Cybercrime 2024"." *Reshaping Criminology with AI*. IGI Global Scientific Publishing, 2026. 125-154.

³³ Kahn-Nisser, Sara. "Experts' active representation in the UN treaty bodies: the role of members' tenure." *Policy Studies* 47.1 (2026): 1-23.

voluntary veto-restraint schemes. As much as these proposals are more indicative of the normative pressure that is continuously increasing, they still are politically, but not legally, binding thus highlighting the long-lasting tension between legal ideals and political realities that is inherent in the UN Charter system.³⁴

Regional bodies are playing an increasingly significant role in how R2P is carried out, namely, in preventive diplomacy and response through early intervention. Chapter 8 of the UN Charter promotes the participation of regional arrangements in the maintenance of international peace and security as long as they act consonant with the Charter principles although they must be authorized by the Security Council in case of any enforcement actions. The roles of the regional bodies in R2P framework may include mediation, fact finding missions, peacekeeping activities and capacity building initiatives which are specific to local contexts. In some cases, such structures might have more immediate and locally sufficiently legitimate response than that of UN itself. However, their involvement does not overrule the powers of the Security Council especially when it comes to the force. The roles of R2P regional organizations are, therefore, complementary to collectively bolster attempts to prevent and turn to crimes involving mass atrocities, but which act within the wider system of the UN Charter.³⁵

Preventive Dimension of the Responsibility to Protect

The central aspect of the Responsibility to protect (R2P) doctrine is prevention, and this is the most substantive and least controversial aspect of it. The doctrine was developed in the realization that such reaction to the crime of mass atrocities is insufficient with regard to moral sufficiency as well as practical permeability. Preventive action aims at targeting the causes and risk factors which lead to genocide, crimes against humanity, war crimes and ethnic cleansing at an early stage before violence spurts.³⁶

In the R2P model, prevention is mainly represented in Pillar 1 that underlines the duty of states that we should protect our citizens, and Pillar 2 that underscores the duty of the international community that would help the states to the same end. These pillars combined emphasize effective prevention as long-term structural measures, engaging in time, and a continuous international cooperation are critical.³⁷

Structural prevention are strategies that are long term and intended to alleviate the conditions leading to vulnerability of the societies to mass atrocity crimes. Such circumstances are usually the weak state institutions, the discrimination system, the exclusionary politics, the economic injustice, the unfulfilled grieving, as well as the insensitivity to the rule of the law. Under the R2P context, structural prevention focuses on enhancing governance, fostering the inclusiveness of political participation, holding human rights abusers accountable, and enhancing social unity. Early warning mechanisms are complementary to these long-term endeavours, in that they establish indicators of the increasing risks of atrocities, including the increasing hate speech, repressive tendencies, political militarization, and assaults on civilian populations. On a global scale, it has established early warning tools at the United Nations by the offices of the Secretary-General and the Special Advisors on the Prevention of Genocide and the Responsibility to Protect. Nonetheless, the impact of early warning is still intimately connected with the political will since early information does not necessarily translate into early actions.³⁸

³⁴ Zorko, Marta, and Ivana Cesarec. "European security space (s): Defining and protecting cyberspace in European small states." *The Digital Environment and Small States in Europe*. Routledge, 2026. 89-117.

³⁵ Odoemena, Emmanuel Chukwuagozie, and Fochi Amabilis Nwodo. "Assessment of the UN Security Council use of military intervention for human rights protection; Libya as a case study." *Journal on the Use of Force and International Law* (2025): 1-24.

³⁶ Amal, Rouabhia. "THE ROLE OF THE RESPONSIBILITY WHILE PROTECTING INITIATIVE IN PROMOTING THE RESPONSIBILITY TO PROTECT." *Russian Law Journal* 13.1 (2025): 229-243.

³⁷ Cüre, Fatih. "Adapting Responsibility to Protect (r2p) for a Multipolar World: Sovereignty, Intervention, and Veto Power." *Global Responsibility to Protect* 1.aop (2025): 1-25.

³⁸ UGBO, NOSAKHARE. "AN APPRAISAL OF THE UNITED NATIONS'CONCEPT OF RESPONSIBILITY TO PROTECT." *International Journal of Humanities, Literature and Art Research* (2025).

A major aspect of preventive action according to Pillar II in R2P is capacity-building, as it demonstrates the realization that many states do not have the institutional or technical capacity to provide security to their citizens. International aid can involve the assistance in the judicial reform, reform in the security sphere, human-rights training, electoral support, and building independent judicial system and civil society.

³⁹Capacity-building tries to reduce the chances that mass atrocity crimes may take place by empowering the national institutions and through encouraging compliance on the international legal standards. This kind of assistance is normally given under the agreement of the concerned state strengthening the national ownership and respect of sovereign rights. However, difficulties also occur in case states do not want to agree that risks exist or when they view international help as the intervention in the state life. Capacity-building is therefore successful based on trust, continued involvement and coordination among the international actors.

The R2P provides a number of diplomatic, economic, and legal instruments to curb the mass atrocity crimes. Diplomatic interventions comprise mediation, making dialogues, confidence-building activities, and special envoys to take tensions off and solve grievances. Economic instruments can be a type of development assistance, specific sanctions or conditional assistance aimed to encourage adherence to human-rights commitments and prevent dangerous actions. Some of the legal preventive measures are monitoring and reporting systems, commissions of inquiry and a threat or initiation of international criminal responsibility, which can deterrent effect on potential criminal offenders. These consist of measures which are best exercise at an early stage, and are wasted in a disjointed fashion when the response is delayed. However, the decision on preventive instruments and the timing often occur with a political factor, which influences the regularity and efficiency.⁴⁰

Pillar I and Pillar II together constitute the essence of the preventative aspect of R2P as based on the national responsibility with the help of the international assistance. In reality, these pillars have led to a higher level of understanding of the risks of atrocities and have promoted the concept of prevention as part of development, peace-building and human-rights agendas. In others, this aid can involve early involvement and the buildup of capacities, which can be used to achieve de-tensions and fortify protective institutions.⁴¹ Nonetheless, these pillars have not performed well. Pillar I relies greatly on the nature of willingness by states to ensure protection of every section of their populations such as the marginalised groups which are not much the case in political unrest or authoritarian regimes. Although not as politically contested as the coercive action, Pillar II encounters problem of resource limitation, coordination of international actors and commitment of commitment among the donor states. Consequently, preventive work within the frames of these pillars has not always been adequate to prevent the further move to the mass atrocity crimes.

Preventive implementation on the basis of the Responsibility to Protect has several enduring difficulties. A prime challenge is that the international community will primarily focus on responding to the crisis, as opposed to preventive measures over the long term, which results in under-investment in structural measures. The other issue is the interpretation of early warning into early action, which is political, conflict of interest and the concern of sovereignty whereby preventive engagement is delayed by such issues. It is also not easy to measure the success of prevention as the occurrence of atrocities is more difficult to prove than their lack. Also, prevention cannot be done quickly and on short-term basis whereas international attention and funds are often reactive and short-term. The mentioned challenges explain why it is necessary to have the stronger political will, improved coordination, and more systematic process of incorporating the R2P prevention strategies in the wider international peace and security endeavors.

³⁹ Ali, Umaima, Rehana Anjum, and Arun Barkat. "The Concept of Responsibility to Protect Criticism and Failures in Intervening Sovereignty." *Law Research Journal* 3.1 (2025): 1-16.

⁴⁰ Grover, Sonja, ed. *The responsibility to protect: perspectives on the concept's meaning, proper application and value*. Taylor & Francis, 2025.

⁴¹ Freund, N. V. A. *The Last Pillar: Towards Alternatives to R2P's 3rd Pillar Practice (Final Version)*. MS thesis. 2018.

Case Studies in the Lens of Assessing R2P in Practice

Libya (2011)

The Libya is the first and most obvious example of the Responsibility to Protect (R2P) doctrine being directly mentioned to justify the use of military force. In reaction to the menace posed by the Gaddafi regime on civilians in response to the events of 2011, the United Nations Security Council sanctioned an act of using any possible means by passing Resolution 1973 to protect the civilians. The ruling is commonly defined as a turning point in R2P history, as it showed that the international community felt the urgency to make a decisive move when a sovereign state was proved not to be doing much to protect its citizens against the mass atrocities.⁴²

However, the implementation of the intervention response to the legal and political debate. The troops of NATO went far beyond the scope of the civilian protection to the enabling of the regime change, which was not directly sanctioned by the Security Council. The further destabilization of Libya that was exhibited by its long-lasting instability, civil confrontation and deterioration of institutional orders acted as a warning example. Such a development undermined faith in the effectiveness of R2P as well as created doubt among major states- most prominently Russia and China- regarding the efficacy of future R2P backed military interventions.⁴³

Syria

The current case in Syria is an interesting case study that presents an effective example of a significant weakness in the operationalization of the Responsibility to Protect (R2P), despite the rich documentations of war crimes and atrocities against humanity perpetrated against the citizens. Since the start of the conflict in 2011, the Syrian government shows itself to be a failure in the responsibility to ensure the protection of its people, rather becoming one of the leading progressors of mass killing. Such a predicament according to principles of R2P should have led to the concerted global reaction.⁴⁴

However, the United Nations Security Council failed severally as its deliberations were both defeated by the veto powers of the permanent members thus precluding the authorization of coercive interventions. This stalemate highlighted a fundamental systemic weakness of the R2P concept: it relies on an agreement of the great powers. Even though humanitarian relief and primitive accountability measures were put into motion, they did not do much to prevent the mass pain that Syrian people were going through. The case of Syria therefore demonstrates a lack of practical effectiveness of R2P where egotism in geopolitics overshadows interest in humanities.⁴⁵

Israel–Palestine

The case of Israel and Palestine is a complicated one in terms of relevance of the Responsibility to Protect (R2P) when one considers the magnitude of civilian casualties and the other alleged gross violations of the international humanitarian law. In reference to the situation in Gaza, several academicians and the state actor hold the view that the level and nature of the civilian suffering may hit the threshold when R2P considerations are relevant namely when the population is immersed in mass atrocity crimes.⁴⁶

However, the UN Security Council has not formally resorted to use of R2P in this case. The political difference, tactical alliances and the propensity to cast the situation as armed conflict, with the focus on the self-defence have restrained collective action. This non-applicability underscores criticism that R2P is not

⁴² Norooz, Erfaun. "Responsibility to Protect and its applicability in Libya and Syria." *ICL Journal* 9.3 (2015): 1À50.

⁴³ Aning, Kwesi, and Fiifi Edu-Afful. "African agency in R2P: Interventions by African Union and ECOWAS in Mali, Cote D'ivoire, and Libya." *International Studies Review* 18.1 (2016): 120-133.

⁴⁴ Morris, Justin. "Libya and Syria: R2P and the spectre of the swinging pendulum." *International Affairs* 89.5 (2013): 1265-1283.

⁴⁵ Thakur, Ramesh. "R2P after Libya and Syria: Engaging emerging powers." *The Washington Quarterly* 36.2 (2013): 61-76.

⁴⁶ Aulawi, Muhammad Haris, and Ade Sherliana. "The Principle of Responsibility to Protect: Its Significance and Implementation In Israel-Palestine Conflict." *Uti Possidetis: Journal of International Law* 6.1 (2025): 34-70.

always applied and heavily biased towards a degree of political judgment, and does not depend upon objective legal standards.⁴⁷

Critical Assessment of R2P's Efficacy

The effectiveness of the Responsibility to Protect is equally debatable, with significant part of this caused by how selective and politicized it is implemented. R2P was created as a universally binding norm, based on the prevention of mass atrocity crimes but has been used in an uneven manner as it suits the strategic interests of the powerful states. The Libyan intervention is one that is triggered into a timely collective action, whereas relatively intense crises like those occurring in Syria and Myanmar did not trigger similar responses. This observable selectivity has undermined the validity of R2P, which has created an impression that it is a subjective political instrument more than an objective based legal and moral imperative.⁴⁸

Another relevant issue is that of inconsistency in the practice of states and this has compromised the establishment of R2P as a customary norm. States often support the concept of R2P, but do not wish to see it put into practice when it serves against state interests, regional and other international relationships. This asympathetic dedication has resulted in a piece meal execution of the three pillars of R2P rhetoric taking precedence over real preventive or protective action most of the time. Therefore, R2P has fallen behind to sustain the political commitment of R2P into a stable working model of civilian protection.⁴⁹

R2P militarization also makes it more complicated, especially during instances where the preventive focus is rather blurred by the use of coercive elements. Even though military intervention is looked at as the last option, with the case of Libya, it shifted focus to the issue of force instead of the early warning, mediation and capacity-building. This has created opposition between those states that fear interventionism and regime-change and have increased opposition to even the non-coercive forms of R2P. Consequently, preventive and assistance-based aspects of the concept of R2P got sidelined, but the latter is at the heart of preventing atrocities in the long-term perspective.⁵⁰

The lack of accountability and the problem of enforcing is enhanced by the power of great politics. The devotion to the United Nations Security Council makes R2P subjugated to veto authority and geo-political hostility which is most evidently shown in the examples of Syria and Israel-Palestine. The enforcement is still weak even under the international courts and investigative mechanisms and the procedural delays do not provide high levels of immediacy of protection to the affected populations. Such dynamics show that in the absence of structural changes and an effective accountability mechanism, the ability of R2P to become a useful and neutral instrument of defending civilians will be highly limited.⁵¹

R2P as a Tool for Atrocity Prevention: Normative Promise vs Reality

The responsibility to protect was perceived to be a normative precedent, which is aimed at deterring mass atrocity crimes, by radically transforming state behavior and international community expectations. Conceptually, R2P has helped to come to a wider agreement that sovereignty is not an impregnable fortification but involves some obligations to civilian populations. However, the evidence provided by empirical investigations does not always indicate that R2P has repelled atrocities against the masses.

⁴⁷ Ercan, Pinar Gözen. "Responsibility to protect and inter-state crises: why and how R2P applies to the case of Gaza." *The Responsibility to Protect*. Routledge, 2018. 114-127.

⁴⁸ Glover, Nicholas. "A critique of the theory and practice of R2P." *E-International Relations* 27 (2011).

⁴⁹ Upadhyay, Amit, and Abhinav Mehrotra. "Assessing the Efficacy of the Responsibility to Protect (R2P) Principle amidst the Misuse of Veto Power: A Critical Analysis." *International Journal of Legal Information* 53.1 (2025): 64-71.

⁵⁰ Borgia, Fiammetta. "The Responsibility to Protect doctrine: between criticisms and inconsistencies." *Journal on the Use of Force and International Law* 2.2 (2015): 223-237.

⁵¹ Jarvis, Samuel. "The R2P and atrocity prevention: Contesting human rights as a threat to international peace and security." *European journal of international security* 8.2 (2023): 243-261.

⁵²Although its existence might have an impact on diplomatic language and strengthen early-warning tools in certain situations, the ongoing war of mass murders in Syria, Myanmar and other conflict situations suggests that until the effect of R2P is reinforced by effective and timely enforcement models, the deterrent effect is weak.

The effectiveness of R2P is a multidimensional measure that requires the use of legal, political and humanitarian indicators. R2P is also an inadmissible rule in the law, hence restricting its enforceability. In the political sphere, its influence is unequal, and often frustrated by stalemate of the Security Council as well as selective involvement of the states. Humanitarian Unlike on R2P action has sometimes brought about civilian protection or humanitarian access, but sometimes it has not been able to prevent displacement, civilian life loss or long term suffering. All these pointers demonstrate that there is a significant discrepancy between the normative goals of R2P and its practice.⁵³

This conflict between promise and practice is also explained through R2P interaction with the international criminal justice. On the one hand, R2P has strengthened the role of accountability by aiding in investigations, referrals, and fact-finding systems by insuring the institutions, including the International Criminal Court and the International Court of Justice. Conversely, the criminal justice processes can be lengthy and politically restricted and disconnected to the immediate preventative requirements. However, even though it has limited practical effects in stopping or preventing crimes, R2P has helped address the gradual change of norms in international protection through the inclusion of crimes prevention in the broader discourse of international peace and security.

Reforming R2P: Legal and Institutional Proposals

To revise the Responsibility to Protect (R2P), one has to ensure that legal differences are more clear in terms of the thresholds and triggers which justify international intervention. Currently, the requirement and discretion of the diviation between the emergence of the mass atrocity crimes and the action taken is mainly political instead of juridical. To address this gap, proposals to solve this issue include the formulation of more astute evidentiary principles, early sonority standards, and third party evaluation systems which can inform debates in the Security Council. Through experimental delimitation of these parameters, we can minimize arbitrariness, increase predictability and increase the validity of the R2P responses such that action is based on objective grounds rather than arbitrary political choice.

Reform of the United Nations Security Council is appropriately placed in strengthening the R2P framework particularly in as far as the application of the veto in cases of atrocities is concerned. Another idea that is being proposed actively is the voluntary restraint of permanent-member veto whenever there are credible information of a genocide, crimes against humanity or war crime. Political feasibility is preserved through such initiatives like the French-Mexican proposal and the Code of Conduct of the ACT Group (which aims to limit the exercise of the veto without an amendment in a written constitution) among other suggestions. These actions are not binding, but may help reduce paralysis and legalize collective responsiveness in the case of an urgent need to defend civilian groups.

The more focus should be placed on fortification of preventive mechanisms contained in Pillars I and II of R2P. This entails promoting domestic capacity building, reforming rule of law, inclusive governance, and initiate early diplomatic contacts in order to deal with the structural risk factors of atrocities. The international aid, mediation and development aid must not be seen as side-show options instead of the main options to coercive action. R2P may be more effectively adjusted to its original purpose of mitigating approaches in

⁵² Hofmann, Gregor P. Ten years R2P-what doesn't kill a norm only makes it stronger? Contestation, application and institutionalization of international atrocity prevention and response. Vol. 133. DEU, 2015.

⁵³ Crossley, Noële. Evaluating the responsibility to protect: mass atrocity prevention as a consolidating norm in international society. Routledge, 2016.

which coercive intervention might be needed in the future by putting greater emphasis on prevention and state assistance.

The reform measures should also address the issues of accountability and post-intervention liability and at the same time increase the capacity of the regional and domestic actors. R2P based activities by states and other international organisations must have more explicit responsibilities with regards to post interventions stabilization, reconstruction and civilian protection. Concurrently, regional organisations e.g. African Union and European Union can deal with early warning, mediation, and localised responses which are pivotal, whereas domestic institutions and civil society deal with resilience and accountability. Enhancing these multi-level alliances would assist in turning R2P into a more sustainable system of the prevention and protection of atrocities, making it not a reactive framework.

Conclusion

The current discussion shows that the Responsibility to protect has resulted in significant restructuring of normative architecture of international law by inculcating the prevention of mass atrocities into the concepts of sovereignty, collective security, and human protection that are interwoven with each other. The paper confirms that R2P is deeply embedded in the current legal systems of genocide, crimes against humanity, war crimes, and ethnic cleansing, and that its adoption at the 2005 World Summit is an important political act by the states to preempt the protection of civilians. At the same time, the preventive approaches, practice in the Security Council and case studies, such as Libya, Syria, Myanmar, or the Israel-Palestine dispute, have been assessed which throws out the consistent divide between the normative ambitions of R2P and its work situations. Even though R2P has strengthened discourse, early warning, and accountability programs, its use has been selective, inconsistent and strongly determined by geopolitical factors.

When consider the theme of the main research question, i.e. whether the Responsibility to Protect has been effective in preventing crimes of mass atrocities, the answer is yes, but with a fair degree of limited impact. It has never always stopped or prevented atrocities especially when geopolitical interests of the strong states are the hindrances of collective action. However, R2P has helped conceptualize a radical change in the concept of mass violence destroying the validity of absolute non-intervention and reaffirming the opinion that atrocity crimes are issues of international concern. In this regard therefore, the relevance of R2P cannot be interpreted in a sense as a uniformly enforceable instrument but as a normative framework that has influenced the behavior of states, enlightened international reactions and promoted the creation of preventive and accountability instruments though in an uneven manner.

The consequences to the international law and the system of world control as a whole are deep in the ocean. R2P indicates a shifting concept of sovereignty as a duty and the interdependence of the human rights, international humanitarian law or collective security. Meanwhile, its dependence on the United Nations Security Council demonstrates structural flaws in the governance by the world, in terms of impact of the veto and great-power politics on the protection of civilians. The tension predicts the Shermeveness of the law without political will and emphasizes the necessity of a change in the institution to have the mass atrocities crimes perceived in a timely, regular, and legit way. Therefore, R2P is not only a normative success but also a way of reminding about limitations of the existing international order.

Since the Responsibility to Protect lacks the potential to lessen, this research and policy-making cannot be neglected in the future to enhance its preventive and protective capabilities. Future research must be able to empirically determine and gauge success in preventive efforts, improve on early warning indicators, and test the role of regional and domestic actors in preventing atrocities. Policymaking wise, more focus needs to be made towards establishing legal limits of action, restraint use of Security Council veto on atrocity cases, and investing in structural prevention in the long term as part of the Pillars I and II of the doctrine. It will also be important to improve accountability measures and provide strong post-intervention accountability in regaining trust in R2P. Finally, to increase the effectiveness of the doctrine, there needs to be a long-term political

engagement on harmonizing the legal principles and practices so that curbing the victimization of populations against mass atrocity crimes become a real concern of international law and the international system of governance.

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