THE EFFECT OF THE RESPONSİBİLİTY TO PROTECT ON SOVEREİGNTY

Onur BALCI

Sakarya University, Institute of Social Sciences, Department of International Relations, PhD Student, Sakarya/Turkey

ABSTRACT

This study examines the process from the 16th century, when sovereignty was defined as absolute and unlimited, from the 16th century to the 2000s, where the responsibility to the international community and the people was taken up.

The hypothesis of this study is that the concept of the responsibility to protect eroding the boundaries of traditional sovereignty has arisen as a result of conditions emerging after the Cold War, and that this concept has also started to limit the absolute and unlimited nature of its sovereignty. The study is carried out on the basis of human rights liberalism and liberal institutionalism.

Different ideas are included in the study and some conclusions have been reached by comparing them. For this purpose, a wide literature review has been made.

Key Words: Responsibility to Protect, sovereignty, Liberalism, Human Rights, İnternational Organizations

1. INTRODUCTION

In today's world, where the fourth industrial revolution is taking place, everything is changing very rapidly. Thanks to technological breakthroughs, developments at one end of the world can affect the whole world at the same time.

This rapid change brings with it new problems, ideas and comments. Thus, the old concepts and institutions are not functioning in the face of these new developments. The real argument begins at this point: how will the concept be modified in the face of new conditions and, more importantly, how to respond to new situations?

This study deals with the historical and theoretical aspects of the process from the view that sovereignty is defined as absolute and unlimited and to that it is responsible for its people and the international community during the 2000s.

This study is divided into 3 sections. In the first chapter, the transformation of the state sovereignty that has been sown in Westphalia, including the United Nations system, has been examined. In the second chapter, after it is examined the humanitarian intervention and the cases in which it was applied, the concept of responsibility to protect which was put forward in 2001 is examined how it has been met and understood by the states. In the third chapter, the intervention decisions of the Security Council referring to the concept of responsibility to protect are addressed, and it is underlined how much the application and theory are compatible, their deficiencies and controversial issues.

The main aim of the study is to reveal the transformational pains that sovereignty has been experiencing for almost 50 years. Indeed, the sovereignty of the United Nations system no longer resists the process of decolonization, the disintegration of the Soviet Union, the change in the nature of conflicts, human rights, and technological revolutions. In other words, re-conceptualization of sovereignty is needed. This study explains the attempt to redefine sovereignty with examples from both states and the UN. The other aim is

to discuss the possibility of selective and arbitrary use of the concept of protection responsibility, which will transform sovereignty, in humanitarian interventions.

The study is carried out on the basis of human rights liberalism and liberal institutionalism. Different ideas are included in the study and some conclusions have been reached by comparing them. For this purpose, a wide literature review has been made. According to Human rights liberalism, democracies regularly pressure other kinds of governments, and each other, to be more supportive of and sensitive to human rights concerns. Adherents of liberal institutionalism have long sought tp enhance international cooperation and bolster national and international security via international organisations. Liberal institutionalism says that governments can be induced to accept less sovereignty to create governing international institutions. UN Security Council's power to order military action to deal with threats to peace and security is quite impressive and shows how far international governance can be carried. As in these theories, in this study, humanitarian issues, sovereignty and protection are discussed within the framework of United Nations and sovereign states.

2. THE DEVELOPMENT OF SOVEREIGNTY

2.1. Conceptual Framework of Sovereignty

Conceptually, Sovereignty has been described differently since it emerged. Practically, it gradually became a scant and eroded concept with important events in world history. And the concept has enforced modern international system to "the notion of responsibility".

The concept of sovereignty gained its own modern meaning after kingdoms in western european prevailed feudal lords (seigneur) and the Church (the Roman Catholic Church). The meaning is that the kings are supreme authority in their country.[1] As a result of this, source of sovereignty changed divine one (from the God) into earthly and rational one.[2] The change is very important in political history of the world.

With being built of notion-state, the sovereignty became identical with state, but no king.[3] It has already been approved that the sovereignty is the main element of state, and its characteristic distinguishing (modern) state from the formers.[4]

When looking from the viewpoint of terminology of sovereignty, in English, sovereignty means supremacy of power or supreme authority. The English concept derives from French concept 'sovereinete'[5], its stem is Latin 'superanus'.[6] In Turkish, it is "*all of the powers of the nation and its legal personality (the state), sovereignty, dominion*"[7].

When looking at what is sovereignty, there is no agreed single definition. The meaning of the concept diversifies because of different cultural, historical heritage of nations, who live in different geographies, as well as education, world-view, state tradition. Fundamentally, the term is given some meanings: absolute, unlimited control or power; political legitimacy; political authority; national independence; constitutional order; sovereign equality; international recognition; legal immunity; jurisdictional competence to make and/or apply law, basic governance competencies (constitutive process).[8]

Given the above definitions, the sovereignty can be classified as external and internal sovereignty.[9] External sovereignty refers that states are sovereign equality in international relations, not being under domination of any state, being independent in determining foreign policy and in relations with other states.[10] Internal sovereignty is divided into two parts. The first one includes the characteristics of state sovereignty. The second one includes the concrete actions of sovereignty through its power such as printing money, collecting taxes, making law.[11] Internal sovereignty is commonly referred to as the characteristics

[1] Münci Kapani (2007), *Politika Bilimine Giriş,* Ankara, Bilgi Yayınevi, p.59.
[2] Yusuf Şevki Hakyemez (2004), *Mutlak Monarşilerden Günümüze Egemenlik Kavramı,* Ankara, Seçkin Yayıncılık, p.24.
[3] Faruk Yalvaç (2009), Devlet, *Devlet ve Ötesi: Uluslararası İlişkilerde Temel Kavramlar,* Atila Eralp (Der.), İstanbul, İletişim Yayınları, p.19.
[4] Kapani, *op.cit.*, p.58.
[5] https://en.oxforddictionaries.com/definition/sovereignty.
[6] Hakyemez, *op.cit.*, p. 52.
[7] http://www.tdk.gov.tr/index.php?option=com_gts&arama=gts&guid=TDK.GTS.5ad9abf4d59206.04589255.
[8] Nagan, P. Winston & Hammer Craig (2004), "The Changing Character of Sovereignty in International Law and International Relations", *UF Law Faculty Publications*, p. 143-145.
[9] Yalvaç, *op.cit.*, p. 20.
[10] Kapani, *op.cit.*, p. 61.
[11] Ibid., p. 62.

of state power. These characteristics are the indivisibility of the sovereignty, absolutism, inalienability, the monopoly of resorting to power, and the highest authority within the state..[12]

As discussed below, at the present time, the content of both internal and external sovereignty has changed considerably. There is a understanding of sovereignty that state power has some duties against its people and even the international community rather than the absolute and unlimited powers of the state power.

2.2. Westphalian Sovereignty

Between the years of 1618-1648, Thirty Years of War has taken place, which has caused great damage to Europe and the destruction of a significant part of the German population.[13] The Westphalia Treaty signed at the end of the war comprises the Treaty of Münster signed between the King of France and the Holy Roman Emperor and the Treaty of Osnabrück signed between the Queen of Sweden and the Holy Roman Emperor. The contents of these two treaties are almost the same and are about the internal affairs of the Holy Roman Empire.[14] As a turning point in terms of international relations, Westphalia is widely regarded as the date when the system of sovereign states emerged, although its taking place in international law and formation of general acceptance took centuries.[15]

When the Thirty Years War is examined closely, it is seen that it has three dimensions. First, it is a religious war and a civil war between the Catholic and Protestant groups. Second, it is a war of independence and authority between the Holy Roman Empire and the German Principality. Finally, it is an interstate war between the French and the Habsburgs on the one hand, the Dutch and Spain on the other, the power struggle on the German territory.[16]

As the nature of the war is based on three pillars, it is seen that the treaty has three different aspects in terms of the interpretation of sovereignty. These are the internal and external sovereignty of states, and their responsibility to the citizens of the states.

On the other hand, the widely accepted point in literature of international relations is that states that have signed Westphalia have recognized each other as equal sovereign. However, there are writers who argue otherwise.

Luis Moita argued that, with the Peace of Westphalia, states were not even a sovereign state with political borders rather than sovereign equality of states, but rather those with religious belief-based, regional influence and power.[17] Similarly, Andreas Osiander argued that Westphalia did not constitute a system of sovereign states, but could only be considered as the whole of the relations established by a number of autonomous states.[18]

But even though it survived until 1806, the Holy Roman Empire lost its authority over the states that formed it after Westphalia. In addition to strategic rights such as alliance with foreign powers, the states in question have achieved the privilege that the Empire cannot decide on important issues such as declaring war, taxing, and law-making.[19]

From this point of view, it can be argued that even though it may not be said that modern international system or sovereign equality in international law has emerged with Westphalian Peace, they has been laid foundation.

Sovereignty continued to change after Westphalia, with the French Revolution of 1789, has adopted the notion of nation sovereignty. Because after this date, sovereignty has passed from monarch monopoly to the nation. In other words, the source of state authority is attributed to the nation. The concept of the state used today corresponds to the nation-state.[20] Since then, nation-based sovereignty has been adopted by Europe and other states of the world, and an international system has emerged in the modern sense.

Another aspect of the Peace of Westphalia that is dealt with here is the question of responsibility and human rights. The Treaty of Augsburg of 1555 granted the princes and administrators authority to

---

[12] Hakyemez, *op.cit.*, p.79.
[13] Luis Moita (2012), "A Critical Review on the Consensus around the Westphalian System", *E-Journal of International Relations*, Cilt: 3(2), p.19.
[14] Andreas Osiander (2001), "Sovereignty, International Relations, and the Westphalian Myth", *International Relations*, Cilt: 55(2), p.266.
[15] Derek Croxton (1999), "The Peace of Westphalia of 1648 and the Origins of Sovereignty", *The Inrernational History Review*, Cilt: 21(3), p. 570.
[16] Oral Sander (2009), *Siyasi Tarih: İlkçağlardan 1918'e*, Ankara, İmge Kitabevi Yayınları, p.99-100.
[17] Moita, *op.cit.*, p.32.
[18] Osiander, *op.cit.*, p.270.
[19] Sander, *op.cit.*, p.100.
[20] Hamit Emrah Beriş (2008), "Egemenlik Kavramının Tarihsel Gelişimi ve Geleceği Üzerine Bir Değerlendirme", *Ankara Üniversitesi SBF Dergisi*, Cilt: 63(1), p. 59.

determine the religions of their subjects, but this system did not work. Then, the Peace of Westphalia has guaranteed people to choose and live their own religions.[21] In addition, Westphalia has given people to important personal rights such as education abroad, immigration, freedom of conscience. Thus, individuals have acquired rights that restrict state sovereignty and impose responsibility on the state.[22]

After all, even though there are diametrically opposed views in the literature, Westphalia was an important and decisive turning point in the process of 1789 nation-state sovereignty. That states can make more independent decisions with the weakening of the power of the Holy Roman Empire and that the spread of secularity has begun with the end of the authority of the Holy see, and some of the rights granted to the people has ended up with the nation-state emerged by the French Revolution.

2.3. Sovereignty in the United Nations System

The international system and state sovereignty, whose seeds were thrown in Westphalia, reached a further dimension with the phenomenon of nation-state brought about by the French Revolution of 1789, as mentioned above. Since then, the history has been the scene of struggle between empires trying to preserve their multinational structure and peoples who want to achieve their independence.

This system, which was founded in 1648, collapsed with a series of wars waged by Napoleon for the dream of forming a single country that included the whole of the European continent. After Napoleon's annihilation, Europe's four major states reshaped the European map with the 1815 Vienna Congress and built a new system with alliances to protect the status quo.[23] The Order of Vienna was disrupted when Germany provided political unity in 1871 and twenty years later II. Wilhelm came to power and started colonial activities. The new international system, which was attempted to be established by the League of Nations in the aftermath of the First World War, was able to last only twenty years because of the revisionist policies of Nazi Germany, Mussolini Italy and Japan.

 While the Second World War was still under way, the United Nations (UN) statement was expressed with the Atlantic Charter and the UN Declaration was signed in 1942. With the end of the war, 50 states founded the United Nations on 26 June 1945.[24]

When the UN Charter, which is the constitution of the organization and the newly established system, is examined, it is seen that it has a structure that both restricts and recognizes the sovereignty of the states[25]. Due to the great losses of the two world wars and the ineffective structure of the League of Nations, the United Nations limited the sovereignty in order to ensure international peace and security, on the other hand, The United Nations recognizes state sovereignty in internal affairs and international affairs.[26]

Part 1 of the UN Charter consists of objectives and principles. In this part, although the definition of sovereignty has not been made, its qualities, boundaries and whom it belongs to is clearly stated. Article 2 (1) of the Charter states that all members are "sovereign equals"[27]. In clause 4 of the Article 4, it is stated that the membership is open to all "peaceful states" who accept the responsibilities of the condition and are willing to fulfill these obligations. In other words, sovereign equality has been granted to the peace-loving states[28] that are members of the UN.

Article 2 (4) is important in terms of internal sovereignty. According to this article, members refrain from using force against the territorial integrity and political independence of any state and threatening to use force in their international relations[29]. This article has three important pillars. The first is to recognize and secure the internal sovereignty of states. The second is that this right is given not only to the member states but also to all the world states. And the latter underlines that states have a sovereignty that does not threaten to use force and use force in their international relations. The only exceptions[30]to the use of force in terms of states is Article 51. The Article "The right to self-defense can be used individually or collectively if there is an attack on a member of the UN until the Security Council takes the necessary measures to ensure

---

[21] Osiander, *op.cit.*, p.272.
[22] Croxton, *op.cit.*, p.575.
[23] Fahir Armaoğlu (2014), *19. Yüzyıl Siyasi Tarihi 1789-1914*, (14. Baskı), İstanbul, Timaş Yayınları, p.116-117.
[24] Bilal Karabulut (2016), *Uluslararası İlişkiler Kavramlar-Teoriler-Kurumlar*, Ankara, Barış Kitap, p.414.
[25] Article 3 of the Charter recognizes states as the only actor of the system.
[26] Nagan & Hammer, *op.cit.*, p.154.
[27] UN Charter, art.2(1), http://www.un.org/en/sections/un-charter/un-charter-full-text/.
[28] Ibid., art. 4(1).
[29] Ibid., art. 2(4).
[30] There are actually two exceptions to using force; the first is the right of self-defense provided by Article 51 and the other is the Security Council resolutions which are explained under Section 7.

international peace and security".[31] In other words, sovereignty has been limited by the prohibition of use of force. This ban has been also restricted by the right of self-defense.

Article 2(7) states "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter Vll"[32]. While the article assumes that the highest authority is the state in all problems within its borders, it has given the sovereignty a limiting character by giving the Security Council the right to intervene in some cases under Chapter 7.

In summary, the UN system, although recognizing the sovereignty of states in its foreign policies and internal affairs, restricted it by the Security Council resolutions and the prohibition of use of force. However, the most important problem of this system in terms of sovereignty is that, if one of the permanent members threatens international peace and security, it is not able to be clarified what kind of a path will be pursued considering that it will not decide against it in the Security Council. Because it has clearly been stated in 27(3) that even one of the five permanent members should not cast negative votes in order for the Security Council to make a decision.[33] This creates the impression that the permanent members are more dominant in their internal affairs, foreign policies or any other interests than in other states.

3. A NEW CONCEPT: RESPONSIBILITY TO PROTECT

3.1. From the Humanitarian Intervention to the Responsibility to Protect

The UN system, as previously stated, has been founded on the prohibition of the use of force in order to ensure international peace and security due to the devastating effects of wars.

However, many states struggling with internal turmoil due to the independence of the colonies and the end of the Cold War and the disintegration of the Soviet Union were included in the international system. This has caused the nature of the conflicts to change from interstate to internal conflicts.[34] Thus, in various parts of the world, people have been subjected to genocide, rape, ethnic cleansing, being forced to starve and migrate.

In parallel with this situation, human rights have become a priority in international law, and the legitimacy of governments has begun to be measured by the value they give to human rights. Thus, the international community is located in the consciousness of duty to preserve humanity from all kinds of disaster no matter where in the world.[35]

The concept of security in international politics has also changed. Security, which is traditionally defined as a threat to the sovereignty and territorial integrity of a state, has expanded to cover the life safety of citizens throughout the 90s. In other words, it has been suggested that people may not have the safety of life in a secure state without any problems in terms of territorial integrity.[36]

On the other hand, significant developments have taken place in the UN regarding humanitarian intervention. The Security Council, which did not address the humanitarian side of conflicts in any decision from its establishment until the Six-Day War in 1967, has given priority to the issue since the 90s. with respect to the humanitarian aspect of armed conflict, UN doubled, only between 1990-94, the decisions it made during its 45 years of history (from 1945 until 1990).[37]

Articles 1, 13, 55 and 56 of the UN Charter include the protection of human rights. In this respect, the Security Council may adopt some coercive measures under Article 39 of Section 7 if the organization believes that any humanitarian catastrophe threatens international peace and security.[38] As a matter of fact, the UN's decisions on humanitarian intervention against the 1991 Northern Iraq, 1992 Somalia, 1994 Haiti, 1994 Rwanda, 1995 Bosnia and 1997 Sierra Leone were realized in this regard.[39] Therefore, the

---

[31] Ibid., art. 51.
[32] Ibid., art. 2(7).
[33] Ibid., art. 27(3).
[34] Ülkü Halatçı Ulusoy (2013), "Uluslararası Hukuk Açısından Libya ve Suriye Örneğinde Koruma Sorumluluğu", *TAAD*, Cilt: 4(14), p. 270.
[35] S. Pandiaraj (2016), "Sovereignty as Responsibility: Reflections on the Legal Status of the Doctrine of Responsibility to Protect", *Chinese Journal of International Law*, Cilt: 15(4), p. 797.
[36] Nicholas Thomas & William T. Tow, (2002), "The Utility of Human Security: Sovereignty and Humanitarian Intervention", *Security Dialogue*, Cilt: 33(2), p. 177-178.
[37] Thomas G. Weiss, (2004), "The Sunset of Humanitarian Intervention? The Responsibility to Protect in a Unipolar Era", *Security Dialogue*, Cilt: 35(2), p. 136.
[38] Çakmak&Atılgan&Eroğuz, *op.cit.*, p.16.
[39] Funda Keskin (2006-2007), "İnsancıl Müdahale: 1999 Kosova ve 2003 Irak Sonrası Durum", *Uluslararası İlişkiler*, Cilt: 3(12), p.53.

humanitarian intervention decisions of the Security Council are considered legitimate in terms of international law.[40] Therefore, it cannot be argued that the force used for the sovereignty and territorial integrity of the intervened state is used.[41]

In terms of states, definition and practice contain contradictory statements with the UN Charter. Because what can be done in the event that the Security Council cannot make a joint decision in emergency humanitarian crises has not been clarified.

In this context, the Kosovo Intervention implies significant results. It was clear that due to Russia's different political stance from the outset, the Security Council would not be able to take an intervention decision against Kosovo.[42] For this reason, NATO has intervened in Kosovo by citing the urgent humanitarian crisis, and implied that in the case of serious human rights violations in addition to self-defense, force can be used without a UN decision.[43] Thus, the Kosovo Intervention and such interventions were alleged to be contrary to international law, but legitimate.[44]

In summary, in the 1990s, humanitarian reasons were put forward and the possibility of arbitrary interferences in the internal affairs of a state became widespread. The United States, taking it even further, unilaterally intervened in Afghanistan and Iraq with some labels such as the failed state, rogue state or terrorist state. In the early 2000s, two questions that outlined this uncertainty/confusion in international politics were raised. Firstly, as mentioned previously, who will be the humanitarian intervention authority when the Security Council cannot agree? Secondly, a humanitarian crisis, at which point, will make armed intervention possible?[45] In this case, the concept of the responsibility to protect is needed to explain.

3.2. What is the Responsibility to Protect?

All these discussions have focused on the need for humanitarian intervention to be a process that has not been unilateral but multilateral regarding international community.[46] With the lessons learned from Rwanda, Bosnia and Kosovo, UN Secretary General Kofi Annan invited the states to rethink the sovereignty. The International Commission on Intervention and State Sovereignty (ICISS), which was formed under the leadership of Canada immediately after this request, introduced the concept of the responsibility to protect by redefining the sovereignty in 2001.[47]

In the foreword of the report prepared by 12 experts with the guidance of Gareth Evans and Mohamed Sahnoun , the responsibility to protect is explained briefly. "The Responsibility to Protect" is "the idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe – from mass murder and rape, from starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states."[48]

In the report, it has been pointed out that the sovereignty of state is not eroded by the responsibility to protect or transferred to another institution, but it is suggested that sovereignty should be redefined as responsibility, not as authority.[49] Thus, 3 aspects of responsible sovereignty emerge. First, states are responsible for the welfare and safety of their citizens. Secondly, states are responsible to their citizens in the country and to the international community through the UN abroad. Third is responsibility of states due to their actions.[50] In other words, state sovereignty is limited by the improvement of its citizens within its borders, respect for other states in the light of the matters stipulated in the UN Charter, and all their the actions in accordance with international law.

The responsibility to protect embraces three specific responsibilities: the responsibility to prevent, the responsibility to react, the responsibility to rebuild. The responsibility to prevent is "*to address both the root causes and direct causes of internal conflict and other man-made crises putting populations at risk*." This is the first step to solve the crisis. If the crisis continues, the other phase, the reaction responsibility is

[40] Funda Keskin (2009), "Darfur: Koruma Yükümlülüğü ve İnsancıl Müdahale Kavramları Çerçevesinde Bir İnceleme", *Uluslararası İlişkiler*, Cilt: 6(21), p.70.
[41] Ibid., p.74.
[42] Keskin (2006), *op.cit.*, p.59.
[43] Conor Foley (2013), "The Evolving Legitimacy of Humanitarian Intervention", *International Journal on Human Rights,* Cilt: 10(19), p.75.
[44] Alex J. Bellamy, (2005), "Responsibilty to Protect or Trojan Horse? The Crisis in Darfur and Humaitarian Intervention afer Iraq", *Ethics & International Affairs,* Cilt: 19(2), p. 34.
[45] Bellamy (2005), *op.cit.*, p.34.
[46] Amitai Etzioni (2006), "Sovereignty as Responsibility", *Orbis,* Cilt: 50(1), p.74.
[47] A. Füsun Arsava (2011), "Egemenlik ve Koruma Sorumluluğu", *Gazi Üniversitesi Hukuk Fakültesi Dergisi,* Cilt: 15(1), p.105.
[48] ICISS (2011), "The Responsibility to Protect", *International Development Research Centre,* p. VIII.
[49] Ibid., para. 2.14, p.13.
[50] Ibid., para. 2.15. p.13.

passed. This is the use of coercive measures like international prosecutions and sanctions, including the use of military options in extreme circumstances. And finally, especially after military interventions, there is the responsibility to rebuild, which aims to develop, reconstruct and bring the parties together on a common ground.[51]

Undoubtedly, the most important and controversial of all these stages is the responsibility to react. Rather than economic sanctions or international prosecution proceedings, it is clear to what extent the military intervention is to be carried out. Thus, military intervention has 6 criteria including right authority, just cause, right aim, last resort, proportionality and expectation of positive development.[52] Among these, the threshold that allows intervention is stated to be justified and criteria are presented for this: large scale loss of life, actual or apprehended, with genocidal intent or not, which is the product either of deliberate state action, or state neglect or inability to act, or a failed state situation; or large scale "ethnic cleansing," actual or apprehended, whether carried out by killing, forced expulsion, acts of terror or rape.[53]

The other important article of the six criteria mentioned above is the right authority. how Security Council would work in case of failure to reach consensus in the emergency humanitarian crises is not included in the UN Charter. In the report, it was pointed out that the most appropriate body to decide military interventions for the purpose of humanitarian protection is the Security Council; however, it is stated that if permanent members cannot meet in common, regional organizations can take action on the condition that they receive the approval of the Security Council, or the unity of the General Assembly for peace.[54]

With this report, the conceptual framework and content of the responsibility to protect has been established. But the responsibility to protect has received little support from the international community. The United States emphasized the importance of veto and that this right should not be restricted. Russia and China pointed out that the concept could disable the Security Council, and Britain and France expressed some concerns about the concept.[55]

Subsequently, the UN General Assembly's 2005 World Summit Outcome contained the responsibility to protect, and in paragraphs 138 and 139, reference was made to the basic principles of the concept.[56] Thus, states acknowledged that they were responsible for protecting societies from war crimes, genocide, crimes against humanity and ethnic cleansing.[57] Similarly, in the Security Council Resolution No. 1674 in 2006, paragraphs 138 and 139 have been confirmed and any action that violates human rights has been condemned in the most severe manner.[58]

Finally, in 2009, the UN Secretary-General presented the report on "Implementing Responsibility to Protect". Accordingly, the responsibility for protection rises on 3 colums. first, the responsibility of states to protect their citizens from all kinds of disaster, secondly, the responsibility of other states to help States that have difficulty in fulfilling their responsibilities in the first column, and, third, the responsibility of international community in a timely and effective manner, including the use of force when necessary, to states which which have been clearly failing to fulfill this responsibility.[59]

As a result, it is aimed to prevent the arbitrariness of humanitarian intervention by all these attempts, and in humanitarian crises, methods, authorities and criteria to be used, whether military intervention or not, are defined. The debate on the conditions requiring military intervention seems to continue. Thanks to the international community's attitude giving human rights to priority, state sovereignty has been limited in respect to both internal and external, although the ICISS report states that sovereignty is not eroded and has not changed hands, it is defined only on the basis of responsibility."[60]

---

[51] Ibid., p.XI.
[52] Ibid., para. 4.16, p.32.
[53] Ibid., para. 4.19, p.32.
[54] Ibid., p. XII-XIII.
[55] Alex J. Bellamy (2008), "The Responsibility to Protect and the Problem of Military Intervention", *Royal Institute of International Affairs,* Cilt: 84(4), p.625.
[56] United Nations General Assembly (2005), "Resolution A/RES/60/1", http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/60/1., (Accessed Date: 16.011.2018).
[57] Touko Piiparinen (2013), "Responsibility to Protect: The Coming of Age of Sovereignty-Building", *Civil Wars*, Cilt: 15(3), p.380.
[58] United Nations Security Council (2006), "Resolution 1674", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1674(2006)., (Accessed Date: 16.11.2018).
[59] Pandiaraj, *op.cit.*, p.800.
[60] Azime Telli (2012), "İnsani Müdahaleden Koruma Sorumluluğuna Geçiş: Eski Sorun Yeni Kavram", *NEÜ Sosyal Bilimler Enstitüsü Dergisi,* Cilt: 1(2), p.217.

3.3. The Trojan Horse or the Transformation of Sovereignty?

The most important point is how the concept of the responsibility to protect, which is well constructed in theory, will have a tendency in practice. How the states whose background are not very bright in terms of humanitarian intervention will interpret this concept will be instrumental in shaping the concept. Thus, being understood from the responsibility to protect whether the idea that people should be protected from all kinds of disaster in any part of the world, that the sovereignty of states is limited by the welfare and security of their own people, or not the idea that the states will make compulsive actions by using the humanitarian crisis as an excuse for their own interests will provide the basis for the evolution of the concept in which direction. In this respect, it is possible to exclude from the interventions of 2003 Iraq, 2008 Burma and 2008 South Ossetia about what they understand from the responsibility to protect and how they act in these events.

As stated earlier, in the early days of the concept, most states had some concerns about the responsibility of protection. 2001 Afghanistan and 2003 Iraq interventions have been a turning point for the attitude of states.

The United States by associating terrorism with concept of the failed state intervened Afghanistan and then Iraqi in 2003 by means of the reason for having chemical weapons and the concept of the pre-emptive war. The Bush doctrine, which briefly went a step further than human intervention, has greatly damaged the normative significance of state sovereignty. These interventions, which were not supported and approved by many countries, were drowned as soon as they were born. The reason is that the international community was afraid that the USA and its allies would cause arbitrary interventions and be exploited if these reasons were conceptualized and included in international law. Thus, countries like Germany, which initially did not support the responsibility to protect, began to embrace and adopt the concept.[61]

In 1992, South Ossetia declared its unilateral independence by leaving functionally Georgia. Georgia, which does not accept the said case, has used several coercive measures to recapture the region. Russia's peacekeeping forces in the region have supported the independence of South Ossetia and worsened the situation. Thus, a 5-day-long struggle between Russia and Georgia trying to regain control of South Ossetia started on August 8th, 2008. Russia overcame war and Sergei Lavrov based on the principle of responsibility to protect this intervention. According to Russia, there was an intervention to defend the people of South Ossetia, the Russian citizens living there and the peacekeepers and to prevent the genocide. They argued that there was no other solution than the military option. However, diplomatic methods were not used, and Russia's allegations of genocide were groundless. On the other hand, the intensity and scope of the intervention are disproportionate to international law and the concept of the responsibility to protect. In addition, entering of the Russian troops to Georgia inside is an action incompatible with the responsibility to protect.[62] Also, different dimensions of the intervention can be the desire to re-influence the back gardens with the increasing power of Russia, and the concern of Russia aroused by NATO-Georgia relations. In other words, For the responsibility toprotect in the South Ossetia issue to be used as a cover for different motives and purposes can be said and is also not groundless.

Approximately 133,000 people died as a result of the Nargis Hurricane in 2008 in Burma, and 2.5 million people were directly affected. While it was clear that the Government of Burma could not cope with the catastrophe, the military regime allowed very limited humanitarian aid. In the face of this situation, the foreign minister of France, Bernard Kouchner, proposed to run the responsibility to protect to ensure the security of humanitarian aid without waiting for the consent of the Burma Government. However, this proposal was rejected by China and it was suggested that it would not be implemented in natural disasters.[63]

Considering the other interventions and especially the Burma case, it is seen that the states perceive the concept of the responsibility to protect only as coercive/military measures. It is as if there is no solution other than the intervention in the concept.[64] However, as detailed in the previous chapter, the responsibility of protection has been adopted compelling actions as the last resort. On the other hand, states have tended to resort directly to coercive methods under the responsibility to protect, whether in their own interest policies or in humanitarian crises, without making necessary efforts to solve a problem.

---

[61] Bellamy (2005), *op.cit.*, p.37-39.
[62] Cristina G. Badescu & Thomas G. Weiss(2010), "Misrepresenting R2P and Advancing Norms: An Alternative Spiral?", *International Studies Perspectives*, Cilt: 11(4), p.363-364.
[63] Bellamy (2008), *op.cit.*, p.633.
[64] Ibid., s.634.

4.   THE RESPONSIBILITY TO PROTECT IN PRACTICE

4.1.   A Controversial Example: Libya Intervention

In the last months of 2010, the popular movements began in Tunisia, in a short period of time in many Arab countries have found the return and has also spread to Libya.[65] The peaceful protests in the middle of January 2011 were transformed into violent acts in February. The Gaddafi administration's strong response to these demonstrations found its result in the armed struggle of opposition groups united under the National Transition Council. Although the rebels had made rapid and successful progress, Gaddafi forces regained regions retreated one by one from the month of March and finally threatened Benghazi, the center of the rebellion.[66]

Thus, there were very heavy conflicts in Benghazi.[67] The Security Council, which did not want to lose more time on the aggravation of the conflicts, unanimously adopted the decision no: 1970 on February 26, 2011. The decision condemned the Libyan Arab Republic for its use of force against civilians and human rights violations and expressed concerns about the situation. Then, the Libyan Administration was reminded of the responsibility of protecting the people and the violence was terminated and the administration were asked to listen to the demands of the people. On the other hand, the situation in Libya was referred to the International Criminal Court, it was decided to implement an arms embargo, some people were prohibited from traveling and a decision was made to freeze the assets of others.[68] Nevertheless, Gaddafi rejected the demands of the 1970 decision and did not allow humanitarian aid to the occupied cities.[69]

In addition, the Red Cross, Human Rights Watch and the International Crisis Group have warned the international community and the Security Council against the danger of mass murder. Gareth Evans and Ramesh Thakur, members of ICISS, reiterated the concerns and stressed that the UN should take the necessary measures urgently. Finally, the Arab League requested the Security Council to take military measures to protect the people of Libya and to declare a no-fly zone.[70]

The ongoing acts of violence revealed the threat of genocide and the UN Security Council adopted the resolution of 1973 on 17 March 2011 in line with the above-mentioned demands. The decision, referring to the decision no. 1970, stated that the Libyan government was insufficient to meet the demands, had the responsibility for protecting civilians, that it was condemned human rights violations, that the widespread and systematic attacks against society could mean crimes against humanity, and that it had determination to protect civilians. Then, within the framework of Section 7 of the UN Charter, it urged the immediate ceasefire, intensification of efforts to provide a political solution to the crisis, complete cessation of violence against civilians and taking all necessary measures for the protection of civilians. It also decided to ban the flight in Libya.[71] Thus, the responsibility to protect, which has been discussed and tried to be conceptualized for ten years, has found the opportunity to be put into practice.

However, contradictory situations arose between the content and implementation of the decisions taken. First of all, there is a difference in interpretation between the scope and content of the decision. NATO and its regional allies have interpreted the decision as comprehensive military actions, including suppression of Libyan air defense systems, air forces and armed forces. Russia and China, on the other hand, have argued that the actions should be strictly adhered to the orders of the decision and should not be interpreted as an interest. In addition, Russia claimed that the NATO bombings caused civilian casualties in violation of the decision 1973.[72]

On the other hand, the main aim of the Resolution 1973 is to ensure the ceasefire and to end all acts of violence against civilians. In spite of this, a military operation was initiated on the second day of the

---

[65] Yıldıray Sak (2015), "Uluslararası Hukukta İnsancıl Müdahale ve Libya Örneği: Suriye'de Yaşanan ya da Yaşanacaklar İçin Dersler", *Uluslararası İlişkiler*, Cilt: 11(44), p.141.
[66] Alex J. Bellamy & Paul D. Williams (2011), "The New Politics of Protection? Cote d'Ivoire, Libya and the Responsibility to Protect", *Royal Institute of International Affairs,* Cilt: 87(4), p.838.
[67] Thomas G. Weiss, (2013), "Humanitarian Intervention and U.S. Policy", *Great Decisions*, p.62.
[68] United Nations Security Council (2011), "Ressolution 1970", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970(2011)., (Accessed Date: 16.11.2018).
[69] Bellamy & Williams, *op.cit.*, p.840.
[70] Jon Western (2011), "Protecting States or Protecting Civilians: The Case for R2P", *The Massachusetts Review*, Cilt: 52(2), p.356.
[71] United Nations Security Council (2011), "Resolution 1973", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973(2011)., (Accessed Date: 16.11.2018).
[72] Bellamy & Williams, *op.cit.*, p.845.

decision, without recognizing that the cease-fire was functioning.[73] The coalition forces, on the other hand, have argued that their main goal is to carry out regime change following the removal of Gaddafi from power.[74] So while the main motive in intervention should be the protection of civilians, the process has evolved into regime change.

Moreover, without a joint decision on the basis of the non-flight zone, France started the bombing, and Libya was under fire for 9 days with the participation of the United States, the United Kingdom, Italy and Canada. This unilateral initiative clearly does not correspond to the decision of 1973.[75] Because in the last paragraph of Article 8 of the decision it is stated that in a suitable mechanism should be established for the operation of the no-fly zone[76].

Another problem is that NATO's air strikes continue until the end of October, despite the fact that Libya's air elements were completely neutralized and in August the Tripoli was under control by the dissidents.[77] As the third stage of ICISS, the responsibility for reconstruction cannot be passed and it is stated that the struggle will continue until the destruction of the regime supporters after the collapse of the regime[78] and thus the issue will be deepened.

Consequently, in accordance with the criteria of prevention, reaction and reconstruction, the aim of the driving force to protect the civilian population from massacres, starvation, genocide and rape has reached different dimensions. With Weiss's statements, the responsibility for protection has been transformed into a bombing for democracy, changing the regime, giving messages to Iran, and trying to obtain regional interests.[79] This situation has gone far beyond limiting state sovereignty. In addition, the permanent members of Russia and China, as well as temporary members of Brazil, Germany and India, which have abstained from the decision of 1973, and that they are not involved in the process show that the concerns over the concept of protection responsibility have not been resolved. Considering the fragmented form of Libya and the fact that even the most basic problems remain unsolved, the responsibility to protect of the international community seems to have not reached its goal.

4.2. A Satisfying Example: The Problem of Cote d'Ivoire (Ivory Coast)

The Ivory Coast, which was an ancient colony of France and which gained its independence in 1960, developed its economy thanks to liberal reforms in the 1990s, but this did not last long. The deterioration of the economy also triggered the civil war and a process which resulted in the intervention of the international community. Thus, in 2002 the country was divided into two de facto: the government of Laurent Gbagbo, the country's current president, gathered Abidjan in the south, the country's largest and commercial city, and Alassane Ouattara supporters of Muslim immigrants, who are influential in the northern regions, are rebels.[80] The elections, which will eliminate the separation and bring the country under one center, were finally held in 2010.[81]

There have been acts of violence between the two sides before the election day and dozens have lost their lives. Although the winner of the November 28, 2010 election was Alassane Ouattara, Gbagbo supporters prevented the announcement of election results. Subsequent to this, the Constitutional Council annulled 660,000 votes in the north against Ouattara on the grounds that it was cheating, and presented the victory to Gbagbo on a gold tray. Thus, nationwide demonstrations against Gbagbo began to be organized. Gabgbo 's actions against these forces were rigid, and the security forces targeted the civilian population to suppress demonstrations..[82]

In 2011 the Security Council was more cautious in taking the necessary measures, despite the increase in the level of the conflict between the parties. However, in the months that followed, the Council, which could not remain silent in the face of the spread of the civil war throughout the country, massacres, the problem of immigrants and a totally collapsed economy, took the decision of 30 March 2011, 1975.[83]

---

[73] Sak, *op.cit.,* p.142.
[74] Western, *op.cit.*, p.357.
[75] Sak, *op.cit.*, p.143.
[76] Resolution 1973, p.3
[77] Sak, *op.cit.*, p.145.
[78] Jake Lynch (2011), "Responsibility to Protect After Libya", *International Journal of Peace Studies*, Cilt: 16(2), p.68.
[79] Weiss, *op.cit.*, p.63.
[80]"What's　　Causing　　the　　Conflict　　in　　Ivory　　Coast?"　　(05.11.2011),　　*CNN*, http://edition.cnn.com/2011/WORLD/africa/04/03/ivory.coast.explainer/index.html. (Accessed Date: 25.11.2018).
[81] Weiss, *op.cit.*, s.63.
[82] Bellamy & Williams, *op.cit.*, p.832.
[83] Weiss, *op.cit.*, p.64.

The decision recognizes Alassane Dramane Quattara as the winner of the elections held on November 28, 2010 and the official president of the Republic of Cote d'Ivoire. It then denounced the human rights violations in the country and expressed the responsibility of each State to protect the civilian population. Then, within the framework of Section 7 of the UN Charter; The presidency of Quattara, also recognized by the international community, was asked to respect all parties within the country. It was emphasized that all parties should focus on the political solution and emphasized that Gbagbo, which does not accept the solution in the next (3rd) article, should be withdrawn immediately. Perhaps the most important issue in this regard is that UNOCI has been authorized to use all the necessary means to protect the threatened civilians no matter which party.[84] Thus, as in the 1973 Libyan decision, the responsibility to protect of the citizens of the states again entered into a Security Council resolution.

Following the decision, the RFCI (Outtara's armed forces) launched the attack by entering Abidjan. On 4 April 2011, the French air force destroyed weapons stores, heavy weapons and military camps. As a result, the balance of power has changed in favor of Outtara.[85] After this critical intervention, Gbagbo was able to withstand another week and was arrested.[86]

As a result, the Security Council began to refer to the responsibility to protect of states and the international community while intervening in humanitarian crises, as in the Cote d'Ivoire problem. This led to the consolidation of the concept put forward in the early 2000s in the international law. Although the basic aim in the Cote d'Ivoire was the protection of humanity, the cause of its source, the danger of civil war as a result of the manipulation of the elections, had a scope ranging from the protection of civilians to bringing the elected person to power. This shows that the concept is prone to very flexible interpretation. Nevertheless, Cote d'Ivoire has a more satisfactory role compared to the Libya intervention.

5. DISCUSSION

In the early 17th century, the conceptual framework of sovereignty was valued as a full and unrestricted authority, giving states the freedom to do what they wanted within their capabilities. However, due to reasons such as the establishment of nation-states, increasing interactions between states, and the scariest and destructive power of the wars, there have been some restructuring structures on the basis of the multilateral system, not as bilateral, as in the treaties. After Westphalia, the 1815 Vienna Order represents the best example of this.

Towards the end of the Second World War, states finally understood that the freedom to exercise force was a disaster. It was aimed to prevent war by prohibiting the use of force in the United Nations system which will be formed after the war and thus to ensure international peace and security. Thus, state sovereignty is defined through limitations. But it is noteworthy that the permanent members of the Security Council exempt themselves from this limitation.

In spite of the rapid change in the world, the United Nations system has not been able to respond to problems at the same rate and has not been able to reform itself. Between 1945 and 1990, sovereignty was trapped between the changing nature of the world, conflicts and security, and the system created in 1945. When these two interim periods are mentioned, one party defines the sovereignty by referring to the UN Charter, while the other side is seeking a new way of dealing with changing conditions.

The UN has given its response to these changing conditions after the 90s with the concept of human intervention. Under the umbrella of NATO, the United States and its allies intervened in Kosovo in 1999, without the UN's mandate, with the UN system no longer functioning, not responding to problems promptly and effectively. It is argued that this situation is legitimate, although it is not legal in the UN system. After the attacks of September 11 attacks, the rogue state, the failed state, the fight against terrorism, preventive war was tried to fill the previously mentioned gap with concepts such as. But this door opened by the US, beyond the limitation of sovereignty, gave rise to the possibility of a 'natural state' of Hobbesian. Thus, the UN, which wanted to prevent unilateral intervention, tried to prevent the unilateral attempts by the US by asking the states to redefine sovereignty.

This situation has had very important consequences for the states. The US suffered great losses in Afghanistan and Iraq interventions and received intense reactions from both its own people and the

---

[84]United Nations Security Council (2011), "Resolution 1975", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1975(2011)., (Accessed Date: 16.11.2018).
[85] Bellamy & Williams, *op.cit.*, p.835.
[86] Lynch, *op.cit.*, p.71.

international community. On the other hand, if these unilateral initiatives take place in international law, the possibility of using other states also frightened the USA. In the end, the practice of the concepts that it tried to create unilaterally by ignoring the UN instead of humanitarian intervention was costly to it. Then the US gave up this initiative and started to support the method to be built under the UN. The other states and the UN began to support the concept of responsibility to protect when these unilateral interventions of the US disrupted the international peace and security and the possibility of leading the world into a chaos.

In fact, when we look at the logic of responsibility to protection, it is seen that in practice, there is nothing more than the effort of humanitarian intervention to be changed into international law. Although the ICISS report argued that sovereignty should be redefined as responsibility, not authority, and also a gradual responsibility, that is to say, military intervention as a last resort, states interpreted their responsibility to protection as armed intervention. The case of South Ossetia intervention and intervention in Burma under the name of the responsibility to protection in the process until the Libyan decision, clearly reveals this situation.

It is concluded in terms of sovereignty with the legal dimension of the Security Council in 1973 and 1975 decisions. Even if there is a possibility of disintegration of states, the priority is given to human security and all actions are taken. The safety of people has gone far beyond the principle of the integrity of the borders. The Libyan intervention in particular showed this clearly. Another result is the selective treatment of the political balances in the intervention decisions. The civil war that has been going on in Syria for 7 years has not been interfered in the context of responsibility to protect. Despite the collapse of the state power, thousands of civilians lost their lives and the displacement of the state power.

As a result, the international community has two options. The first is to rebuild the new system on this basis by accepting fact that the responsibility to protect is so restrictive as to destroy a regime. The second is to establish mechanisms to ensure the implementation of the responsibility to protect in full compliance with the criteria set out in the ICISS report.

KAYNAKÇA

"What's Causing the Conflict in Ivory Coast?" (05.11.2011), *CNN*, http://edition.cnn.com/2011/WORLD/africa/04/03/ivory.coast.explainer/index.html. (Accessed Date: 25.11.2018).

AĞAOĞULLARI, Mehmet Ali (2012), *Sokrates'ten Jakobenlere Batı'da Siyasal Düşünceler,* İstanbul, İletişim Yayınları.

ARMAOĞLU, Fahir (2014), *19. Yüzyıl Siyasi Tarihi 1789-1914*, (14. Baskı), İstanbul, Timaş Yayınları.

ARSAVA, Füsun A. (2011), "Egemenlik ve Koruma Sorumluluğu", *Gazi Üniversitesi Hukuk Fakültesi Dergisi,* Cilt: 15(1), p. 101-124.

AYOOB, M. (2002), "Humanitarian Intervention and State Sovereignty", *The International Journal of Human Rights,* Cilt: 6(1), p. 81-102.

BADESCU Cristina G. & Weiss Thomas G. (2010), "Misrepresenting R2P and Advancing Norms: An Alternative Spiral?", *International Studies Perspectives*, Cilt: 11(4), p. 354-374.

BELLAMY, Alex J. & WİLLİAMS, Paul D. (2011), "The New Politics of Protection? Cote d'Ivoire, Libya and the Responsibility to Protect", *Royal Institute of International Affairs,* Cilt: 87(4), p. 825-850.

BELLAMY, Alex J. (2005), "Responsibilty to Protect or Trojan Horse? The Crisis in Darfur and Humaitarian Intervention afer Iraq", *Ethics & International Affairs,* Cilt: 19(2), p. 31-54.

BELLAMY, Alex J. (2008), "The Responsibility to Protect and the Problem of Military Intervention", *Royal Institute of International Affairs,* Cilt: 84(4), p. 615-639.

BERİŞ, Hamit Emrah (2008), "Egemenlik Kavramının Tarihsel Gelişimi ve Geleceği Üzerine Bir Değerlendirme", *Ankara Üniversitesi SBF Dergisi*, Cilt: 63(1), p. 55-80.

CROXTON, Derek (1999), "The Peace of Westphalia of 1648 and the Origins of Sovereignty", *The Inrernational History Review*, Cilt: 21(3), p. 569-591.

ÇAKMAK, Cenap & ATILGAN, Cansu & EROĞUZ, Esra (2016), "Devlet Egemenliğinde ve Kuvvet Kullanmada Dönüşüm: İnsani Müdahaleden Koruma Sorumluluğuna", *BİLGESAM*, Rapor No: 71, p. 1-46.

ETZİONİ, Amitai (2006), "Sovereignty as Responsibility", *Orbis,* Cilt: 50(1), p. 71-85.

EVANS, Gareth, & SAHNOUN, Mohamed (2002), "The Responsibility to Protect", *Foreign Affairs,* Cilt: 81(6), p. 99-110.

FOLEY, Conor (2013), "The Evolving Legitimacy of Humanitarian Intervention", *International Journal on Human Rights,* Cilt: 10(19), p. 75-93.

HAKYEMEZ, Yusuf Şevki (2004), *Mutlak Monarşilerden Günümüze Egemenlik Kavramı,* Ankara, Seçkin Yayıncılık.

ICISS (2011), "The Responsibility to Protect", *International Development Research Centre*.

KAPANİ, Münci (2007), *Politika Bilimine Giriş,* Ankara, Bilgi Yayınevi.

KARABULUT, Bilal (2016), *Uluslararası İlişkiler Kvramlar-Teoriler-Kurumlar*, Ankara, Barış Kitap.

KESKİN, Funda (2006-2007), "İnsancıl Müdahale: 1999 Kosova ve 2003 Irak Sonrası Durum", *Uluslararası İlişkiler*, Cilt: 3(12), p. 49-70.

KESKİN, Funda (2009), "Darfur: Koruma Yükümlülüğü ve İnsancıl Müdahale Kavramları Çerçevesinde Bir İnceleme", *Uluslararası İlişkiler*, Cilt: 6(21), p. 67-88.

LYNCH, Jake (2011), "Responsibility to Protect After Libya", *International Journal of Peace Studies*, Cilt: 16(2), p. 59-76.

MOİTA, Luis (2012), "A Critical Review on the Consensus around the Westphalian System", *E-Journal of International Relations*, Cilt: 3(2), p. 17-42.

NAGAN, P. Winston & HAMMER Craig (2004), "The Changing Character of Sovereignty in International Law and International Relations", *UF Law Faculty Publications*, p. 142-187, http://scholarship.law.ufl.edu/facultypub/595.

OSİANDER, Andreas (2001), "Sovereignty, International Relations, and the Westphalian Myth", *International Relations*, Cilt: 55(2), p. 251-287.

PANDİARAJ, S. (2016), "Sovereignty as Responsibility: Reflections on the Legal Status of the Doctrine of Responsibility to Protect", *Chinese Journal of International Law,* Cilt: 15(4), p. 795-815.

PİİPARİNEN, Touko (2013), "Responsibility to Protect: The Coming of Age of Sovereignty-Building", *Civil Wars*, Cilt: 15(3), p. 380-405.

REÇBER, Sercan (2016), *İnsancıl Müdahale ve Koruma Sorumluluğu,* (1. Baskı), İstanbul, On İki Levha Yayıncılık.

SAK, Yıldıray (2015), "Uluslararası Hukukta İnsancıl Müdahale ve Libya Örneği: Suriye'de Yaşanan ya da Yaşanacaklar İçin Dersler", *Uluslararası İlişkiler*, Cilt: 11(44), p. 121-153.

SANDER, Oral (2009), *Siyasi Tarih: İlkçağlardan 1918'e*, Ankara, İmge Kitabevi Yayınları.

TELLİ, Azime (2012), "İnsani Müdahaleden Koruma Sorumluluğuna Geçiş: Eski Sorun Yeni Kavram", *NEÜ Sosyal Bilimler Enstitüsü Dergisi,* Cilt: 1(2), p. 206-220.

THOMAS, Nicholas, & TOW, William T. (2002), "The Utility of Human Security: Sovereignty and Humanitarian Intervention", *Security Dialogue,* Cilt: 33(2), p. 177-192.

ULUSOY, Ülkü Halatçı (2013), "Uluslararası Hukuk Açısından Libya ve Suriye Örneğinde Koruma Sorumluluğu", *TAAD*, Cilt: 4(14), p. 269-297.

UN Charter, http://www.un.org/en/sections/un-charter/un-charter-full-text/. (Accessed Date: 21.11.2018).

United Nations General Assembly (2005), "Resolution A/RES/60/1", http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/60/1., (Accessed Date: 16.11.2018).

United Nations Security Council (2006), "Resolution 1674", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1674(2006)., (Accessed Date: 16.11.2018).

United Nations Security Council (2011), "Resolution 1970", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1970(2011)., (Accessed Date: 16.11.2018).

United Nations Security Council (2011), "Resolution 1973", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1973(2011)., (Accessed Date: 16.11.2018).

United Nations Security Council (2011), "Resolution 1975", http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1975(2011)., (Accessed Date: 16.11.2018).

Weiss, Thomas G. (2004), "The Sunset of Humanitarian Intervention? The Responsibility to Protect in a Unipolar Era", *Security Dialogue,* Cilt: 35(2), p. 135-153.

Weiss, Thomas G. (2013), "Humanitarian Intervention and U.S. Policy", *Great Decisions*, p. 59-70.

Western, Jon (2011), "Protecting States or Protecting Civilians: The Case for R2P", *The Massachusetts Review*, Cilt: 52(2), p. 348-357.

Yalvaç, Faruk (2009), Devlet, *Devlet ve Ötesi: Uluslararası İlişkilerde Temel Kavramlar,* Atila Eralp (Der.),(p. 15-53), İstanbul, İletişim Yayınları.