

CORVINUS UNIVERSITY OF BUDAPEST

RETHINKING THE RESPONSIBILITY
TO PROTECT:
LIBYA AS A CASE STUDY

THESIS BOOKLET

Supervisors:
Dr. Tamás Hoffmann
Dr. Habil. Eszter Kirs

Amani Rawand Ben Brahim

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I. Research Background and Justification for the Selection of the Topic

In the aftermath of the controversy surrounding NATO's 1999 intervention into Kosovo, UN Secretary-General Kofi Annan (2000) asked, "if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violations of human rights that affect every precept of our common humanity?" (Annan, 2000).

This question highlights the complex and often controversial nature of addressing mass violence and human rights abuses. The world watched in horror as countless lives were lost to mass atrocities and other crimes. History is abundant with examples of the international community standing by and doing nothing as innocent people have been murdered and otherwise persecuted on a massive scale. In fact, the United Nations (UN) and the international community witnessed recurrent failure to respond and intervene to protect vulnerable populations. As a response and in an attempt to fight for our "common humanity", the Government of

Canada established the interdisciplinary International Commission on Intervention and State Sovereignty (ICISS) in September 2000 which created the responsibility to protect doctrine (R2P), recognizing the responsibility of states to protect their populations, in a timely and decisive manner, from genocides, war crimes, ethnic cleansing, and crimes against humanity, as well as the responsibility of the international community to assist states in fulfilling this responsibility (International Commission on Intervention and State Sovereignty, 2001; United Nations General Assembly, 2005). It is based on the “idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophes, 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” (ICISS, 2001, p. viii).

R2P included three equally important pillars: the responsibility to “prevent” atrocities from happening, to “respond/protect” when they happen, and to “rebuild” after the intervention. It is exercised through various

means, including diplomatic, humanitarian, and, as a last resort, military intervention (Bellamy & Williams, 2013; International Crisis Group, 2009).

The doctrine has gained significant attention and led to a sense of normative triumphalism in the field of international relations and global governance. It refreshed the understanding of sovereignty, reviving the responsibility of states to protect their people, rather than an absolute, inviolable right of non-intervention (International Commission on Intervention and State Sovereignty, 2001, p. 13).

However, the implementation of R2P has not been without controversy and criticism. Nearly two decades after its endorsement in the 2005 World Summit Outcome Document, the debate still prevails around R2P and its efficiency. The 2011 military intervention in Libya was the first-ever test case explicitly invoking the Responsibility to Protect, backed by the UN Security Council (UNSC) Resolution 1970 and 1973 as legal basis for military intervention to take “all necessary measures” to protect civilians from the threat of mass atrocities and

solve a humanitarian crisis within a sovereign territory (United Nations Security Council, 2011). While the intervention may have successfully fulfilled the “protection” dimension of R2P, the rebuilding phase has faced numerous challenges and setbacks. Although the international intervention did succeed in removing the oppressive Gaddafi regime and paving the way for a transitional government, the subsequent years of conflict and instability have left many Libyans vulnerable to abuse and suffering, and the rebuilding process has been slow and often undermined by political divisions and external interference.

This directly relates to the third pillar of R2P, underscoring the international community’s responsibility to help nations in their recovery and reconstruction following an intervention. As outlined in the ICISS report and elaborate in the thesis, this responsibility encompasses peacebuilding; reconstruction of state institutions; disarmament, demobilisation, and reintegration (DDR); justice and reconciliation; transfer

of authority; security measures; development initiatives; and implementation of an exit strategy.

Given the significant criticism that R2P has faced, it is necessary to conduct a thorough re-evaluation of the doctrine, especially considering its relatively recent emergence in the fields of international relations and global governance. This re-evaluation is particularly urgent today. The world has witnessed the proliferation of conflicts, the growing role of non-state actors in international relations, and new transnational challenges including mass migration and climate-induced displacement. More significantly, despite the initial shift toward sovereignty-as-responsibility in the mid-2000s, the post-Libya period has been marked by what can be described as a sovereignty-driven backlash. States across the Global South, Russia, and China have increasingly reasserted traditional principles of non-intervention, viewing R2P with suspicion (Cunliffe, 2015a; Stahn, 2020). This shift is reflected in declining scholarly attention to R2P, with publications on the doctrine

peaking in the 2010s before decreasing in the 2020s (Badescu & Weiss, 2020).

In light of these considerations, this dissertation addresses the following questions:

- To what extent is the responsibility to rebuild implemented by the international community following an intervention?
- To what extent does the post-intervention rebuilding process align with the measurement of R2P in the case of Libya?
- Can the intervention in Libya under R2P be deemed successful?
- How can R2P be reformed to ensure its effectiveness and sustain its relevance in the context of international relations?

II. Methods Used

This dissertation examines the implementation of the R2P doctrine, in particular the Responsibility to Rebuild (R2R), and the challenges and controversies that came up

during its application in post-intervention Libya. The research is structured around a single case study and engages in a desk-based critical analysis of international legal documents, institutional frameworks, political discourse, primary sources, and secondary academic literature. The objective is to assess the extent to which the Responsibility to Rebuild (R2R) has been realized following the 2011 intervention in Libya, and to propose constructive recommendations for reform within the R2P framework, specifically focusing on the Responsibility to Rebuild (R2R).

The analytical approach is qualitative and interpretive, employing close reading of official documents, discourse analysis of political and institutional rhetoric, and process tracing to examine how decisions were made and responsibilities assigned, or evaded, during the post-intervention period.

The research is situated within the broader theoretical framework of realism, constructivism, and the Third World Approaches to International Law (TWAIL), each

offering a distinct perspective on the motivations, failures, and limitations of international responsibility.

Measuring “Success”

Central to this dissertation is the definition of “success” as an evaluative concept. This study defines success in two ways. First, success entails the effective implementation of R2P’s three core pillars: the Responsibility to Prevent, the Responsibility to Protect, and the Responsibility to Rebuild. Second, success is measured in accordance with the principle of proportionality in international law “an act of war is held disproportionate if the damage it does is excessive to the measure of peace it can reasonably hope to achieve” (Ralph & Gallagher, 2015). In this research, success is not defined by immediate or short-term improvements but rather by visible and sustained progress across economic, political, and human rights dimensions.

To assess whether the situation in Libya improved or worsened after the intervention, the selected indicators are grouped into three thematic categories.

Economic indicators include Gross Domestic Product (GDP), oil production levels, Human Development Index (HDI), Gross National Income (GNI) per capita, unemployment rates, and subsidies for essential goods. Governance and political stability indicators include voter turnout rates, constitution drafting and ratification progress, and the Corruption Perceptions Index (CPI). Human rights and civil liberties indicators include the Fragile States Index (FSI), Political Rights Score, Civil Liberties Score, World Press Freedom Index, Trafficking in Persons (TIP) Tier Placement, and the Global Peace Index (GPI).

Desk Review Research

Desk review research is used both for developing a broad understanding of the R2P doctrine and for the case study analysis of the Libyan intervention. Sources reviewed include academic articles, policy documents, official reports from governments and international organizations, and publications from NGOs and think tanks, drawing on perspectives from international law, political science, and global governance. By examining these factors, the desk

review research contributes to understanding the complexities of implementing R2P in practice, with a particular focus on the third pillar, the Responsibility to Rebuild.

Process Tracing

The second methodological approach is process tracing, which involves closely examining the decisions and actors' motivations within a specific case in order to evaluate the causal processes at play. Process tracing is not applied in a deterministic way; it is used to interpret how international actors (states, regional organizations, and international institutions) responded to the Libyan uprising, how they justified their actions, and how these responses reflect the strategic calculations of normative commitments at play. Incorporating a rational choice approach into process tracing allows for a more in-depth examination of the decision-making processes of key international actors (Bennett & Checkel, 2014).

Limitations

Desk review research is limited by its reliance on secondary data, subject to the biases in the literature; to mitigate this, multiple sources are cross-checked for inconsistencies. Process tracing faces challenges in ensuring causality, given the complexity of geopolitical contexts and the plurality of actors with declared and hidden motives; multiple sources and a careful interpretation are employed to address this. Finally, this research recognizes the risk of overgeneralization from a single case study. However, as the first implementation of R2P to reach the post-intervention phase, the Libyan case offers valuable insights into the implementation challenges, limitations, and potential of the Responsibility to Rebuild.

III. Scientific Results of the Dissertation

This research identifies three principal findings, each revealing a distinct but interconnected gap in the operationalization of the Responsibility to Rebuild (R2R):

- **Finding 1: The Responsibility to Rebuild was largely absent in post-intervention Libya.**

While the international community acted swiftly under the first two pillars of R2P, the third pillar was neglected. Rebuilding efforts were fragmented, short-term, externally driven, and lacked a coherent strategic framework.

- **Finding 2: The R2R framework itself suffers from structural and theoretical weaknesses.**

Despite the ICISS (2001) report outlining comprehensive post-conflict obligations, there remains no dedicated institutional mechanism within the UN system tasked with implementing R2R. This structural vacuum meant that no body or coalition assumed ownership of rebuilding in Libya, leaving the process vulnerable to neglect and incoherence.

- **Finding 3: A fundamental tension exists between humanitarian discourse and strategic interest.**

While R2P was invoked as a moral obligation, implementation aligned more closely with realist priorities (energy security, migration control, and regional influence). Constructivism reveals how humanitarian

language legitimized intervention but was abandoned once it no longer served powerful states' interests. TWAAIL exposes how R2P reproduced colonial hierarchies, marginalizing regional actors like the African Union in favour of Western-led solutions.

Recommendations for Reform:

The dissertation concludes by proposing comprehensive reforms across seven domains:

1. Institutional and security reconstruction, including security sector reform as the prerequisite for all other rebuilding, disarmament, demobilization, and reintegration (DDR) through locally legitimate frameworks, and the prohibition of subcontracting security functions to militias.
2. Economic reconstruction and development, including targeted sanctions reform, youth employment initiatives, economic diversification beyond oil dependency, transparent revenue-sharing mechanisms, and functioning legal and regulatory frameworks for investment.

3. Transitional justice and legal accountability, including the replacement of “blanket immunity laws”, establishment of credible prosecution mechanisms addressing pre-intervention, conflict, and post-conflict violations, and community-led reconciliation processes.
4. Local legitimacy, inclusion, and social reconciliation, including locally driven consultation processes that transfer ownership to local actors, community-led healing, integration of reconciliation into education, and memorialization of suffering.
5. International responsibility and strategic commitment, including binding post-conflict engagement commitments formalized before intervention authorisation, unified coordination mechanisms, and empowerment of regional organisations as partners.
6. R2P normative reform, including codification of Pillar III through a dedicated UN General Assembly resolution or treaty-based legal instrument, with mandatory funding mechanisms, assigned institutional responsibilities, measurable benchmarks, and enforcement mechanisms.

7. Follow-up mechanisms, including creation of a new UN Special Rapporteur on Post-Conflict Responsibility, outcome-based monitoring with independent verification, and meaningful participation from affected populations.

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V. List of Publications on the Topic

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