

THE RESPONSIBILITY TO PROTECT IN INTERNATIONAL LAW

PHILOSOPHICAL INVESTIGATIONS

Natalie Oman



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Cyrille J.C.F. Fijnaut, Joris Larik

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The Responsibility to Protect Aidan Hehir, 2012-04-11 From Kosovo to Libya humanitarian intervention is seldom out of the news While the Responsibility to Protect R2P has often been at the centre of these debates its effectiveness as a means of preventing and resolving mass atrocities is disputed. The book provides a systematic overview of the theory and practice of R2P and examines how the doctrine has been interpreted and implemented since it was first conceived Aidan Hehir argues that while it has undeniably raised international consciousness regarding humanitarian intervention R2P has not significantly improved the international response to large scale intra state crises Hehir advances an alternative strategy involving a strengthening of international law based around obligations rather than discretionary rights and major structural reform to the United Nations Broad ranging and insightful this innovative text provides a clear grasp of the key issues and debates surrounding humanitarian intervention and advances a major new critique of R2P The Responsibility to Protect, Second Edition Sonja Grover, 2025-02-26 This book presents the views of various international law and human rights experts on the contested meaning scope of application value and viability of R2P the principle of the Responsibility to Protect R2P R2P refers to the notion that the international community has a legal responsibility to protect civilians against the potential or ongoing occurrence of the mass atrocity crimes of genocide large scale war crimes ethnic cleansing and crimes against humanity R2P allows for intervention where the individual State is unable or unwilling to so protect its people or is in fact a perpetrator The book also addresses the controversial issue of whether intervention by States implementing R2P with or without the endorsement of the United Nations Security Council constitutes a State act of aggression or instead is legally justified and not an infringement on the offending State's sovereign jurisdiction. The adverse impact on global peace and security of the failure to protect civilians from mass atrocity crimes has put in stark relief the need to address anew the principle of responsibility to protect and the feasibility and wisdom of its application and this book is a significant contribution to that effort This second edition comes with an updated Introduction and a new Afterword making it an invaluable resource for scholars policymakers human rights advocates and students of law and international relations seeking to deepen their understanding of a principle that is vital to safeguarding human rights in our world today This book was originally published as a special issue of the International Journal of Human Rights The Oxford Handbook of the Responsibility to Protect Alex Bellamy, Tim Dunne, 2016-06-30 The Responsibility to Protect R2P is intended to provide an effective framework for responding to crimes of genocide ethnic cleansing war crimes and crimes against humanity It is a response to the many conscious shocking cases where atrocities on the worst scale have occurred even during the post 1945 period when the United Nations was built to save us all from the scourge of genocide The R2P concept accords to sovereign states and international institutions a responsibility to assist peoples who are at risk or experiencing the worst atrocities R2P maintains that collective action should be taken by members of the United Nations to prevent or halt such gross violations of

basic human rights This Handbook containing contributions from leading theorists and practitioners including former foreign ministers and special advisors examines the progress that has been made in the last 10 years it also looks forward to likely developments in the next decade France, humanitarian intervention and the responsibility to protect Eglantine Staunton, 2020-01-07 This book provides the first comprehensive account of France's relationship to human protection since the 1980s by investigating the mutual impact interconnected yet distinct domestic and international norms of human protection have had on each other over time **Humanitarian Intervention and Political Support for Interstate Use** of Force Cyrille J.C.F. Fijnaut, Joris Larik, 2020-11-30 When can a state give political support to a military intervention in another state The Government of the Netherlands commissioned an international Expert Group composed of eminent members from the fields of international law international relations and diplomacy The Expert Group's objective was to examine this complex topical and time sensitive question and to consider whether the government should press for international acceptance of humanitarian intervention as a new legal basis for the use of force between states in exceptional circumstances This volume is the result of those efforts The Expert Group was led by Professor Cyrille Fijinaut and consisted of Mr Kristian Fischer Professor Terry Gill Professor Larissa van den Herik Professor Martti Koskenniemi Professor Claus Kre Mr Robert Serry Ms Monika Sie Dhian Ho Ms Elizabeth Wilmshurst and Professor Rob de Wijk Their thorough analysis and recommendations offer important insights that can aid governments in formulating a position on political support for the use of force between states and humanitarian intervention. The volume also constitutes a useful tool for scholars and practitioners in considering these difficult and important issues From the Foreword by Stef Blok Minister of Foreign Affairs of the Netherlands The Expert Group's thorough analysis and recommendations on this complex subject offer important insights that can aid the government in formulating its position on political support for the use of force between states and humanitarian intervention In drawing up this advisory report the Expert Group has helped the government develop a new contemporary vision on these issues **Crimes Against Humanity** Nergis Canefe, 2021-04-15 This book brings together jurisprudential debates on international criminal law international law scholarship on the limits of state sovereignty and applied political philosophy concerning responsibility and accountability in the context of mass political crimes and state criminality It offers a compelling view of legal reasoning concerning accountability regimes in the Global South No other study addresses questions of ethical dimensions of mass crimes and accountability for state criminality Internally **Displaced Persons and the Law in Nigeria** Aderomola Adeola, 2022-05-19 This book examines the national legal frameworks in place for internally displaced people in Nigeria and considers how they can be extended to provide further legal protection Despite a growing global awareness of the importance of developing solutions to the problem of internal displacement how that translates to national level response is often under researched This book focuses on Nigeria where conflict and violence continue to drive high levels of displacement The book begins by examining the definitions and causes

of internal displacement in the national context before considering the state of national law and the applicability of the Kampala Convention for furthering protection and assistance for internally displaced persons This book will be of interest to researchers of African studies and internal displacement as well as to policy makers civil society organizations humanitarian actors and other regional and international stakeholders Institutionalizing State Responsibility Vincent-Joël Proulx, 2016-05-05 Since the 9 11 attacks international organizations have become actively engaged in devising counterterrorism strategies and frameworks This monograph examines the role UN organs can play in implementing the law of State responsibility in global security contexts using transnational terrorism as its principal case study The institutional mechanisms utilized by the UN in implementing State responsibility are assessed in detail shedding light on how the ICJ the General Assembly and the Security Council contribute to the implementation of State responsibility in the context of global security By acknowledging the Security Council's role as a post 9 11 legislator this book argues that the Council can play an important and sometimes determinant role in implementing a State's legal responsibility for failing to prevent terrorism both inside and outside the Chapter VII framework Featuring a discussion of the more controversial consequences flowing from State responsibility this monograph also explores the prospect of injured States adopting forcible measures against responsible States for their failures to prevent terrorism The book investigates whether self defence and other forcible reactions envisaged both inside and outside the Council can be reconciled with State responsibility principles **Responsibility in the United Nations** Katy Harsant, 2022-08-30 The United Nations claims to exist in order to maintain international peace and security providing a space within which all states can work together But why then does the UN invoke its responsibility to protect through humanitarian intervention in some instances but not others Why is it that five states have the power to decide whether or not to intervene This book challenges the dominant narrative of the UN as an institution of equality and progress by analyzing the colonial origins of the organization and revealing the unequal power relations it has perpetuated Harsant argues that the United Nations is unable to fulfill its claims around the protection of international peace and security due to its very structure and the privilege of certain states Moreover through a rigorous examination of the history of the UN and how those structures came to be she argues that the privilege afforded to these states is the result of power relations established through the colonial encounter In order to understand the pressing contemporary issues of how the United Nations operates particularly the Security Council this book discusses issues of power and sovereignty by de silencing the narratives of resistance and reconstructing a history of the United Nations that takes this colonial and anti colonial relationship into account This is a bold challenge to the eurocentrism that dominates International Relations discourse and a call to better understand the colonialism's role in preserving the existing global order

Reconstructing the Responsibility to Protect Michael J. Butler,2024-11-11 This book revisits and interrogates the evolution of the Responsibility to Protect in search of the root cause of R2P s failure to date Employing a critical

constructivist lens throughout the book locates the origin of that apparent failure in the close association of R2P with humanitarian intervention In returning to the ideational underpinnings and broader ambitions of R2P s architects the analysis reveals that reducing R2P to little more than a solution to the long standing problem s confronting humanitarian intervention betrayed its fundamental purpose advancing a new norm of and for human security provision Employing a modified version of the norm life cycle model as a diagnostic tool the author uncovers the underlying dynamics of R2P s normative stagnation over the past two decades The book concludes with a prescriptive remedy in the form of a two part blueprint for reconstructing and reanimating R2P s normative agenda for an international society confronted by mounting and existential threats to humanity This book will be of much interest to scholars and students of the Responsibility to Protect human rights security studies and international relations in general

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